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BONDS TO THE

HIGH COURT

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10 Fleet Street, London, E.C.4.

*The Society transacts
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The Solicitors' Journal and Weekly Reporter.

(ESTABLISHED IN 1857.)

LONDON, JANUARY 1, 1921.

ANNUAL SUBSCRIPTION, PAYABLE IN ADVANCE.

£2 12s.; by Post, £2 14s.; Foreign, £2 16s.

HALF-YEARLY AND QUARTERLY SUBSCRIPTIONS IN PROPORTION.

* * The Editor cannot undertake to return rejected contributions, and copies should be kept of all articles sent by writers who are not on the regular staff of the JOURNAL.

All letters intended for publication must be authenticated by the name of the writer.

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Current Topics.

The First Woman Law Agent in Scotland.

WE LEARN from *The Woman's Leader* that Miss MADGE EASTON ANDERSON, M.A., LL.B., has succeeded in her petition for admission as law agent in Scotland. She began her three years' apprenticeship in May, 1917, but since this started prior to the passing of the Sex Disqualification (Removal) Act, 1919, the registrar declined to recognise it, and the petition for admission came before the Court. There was no opposition, and the only point was as to the validity of a qualification commencing in 1917, since the 1919 Act was not expressly made retrospective. The Lord President decided that Miss ANDERSON'S qualification was sufficient to entitle her to the benefit of the Act of 1919.

The late Mr. George Russell Northcote.

THE RECENT and sudden death of Mr. G. RUSSELL NORTHCOTE came as a painful shock to his numerous friends at Lincoln's Inn and elsewhere and cut short a busy and useful career. Starting with a very distinguished academical record—Mr. NORTHCOTE was a scholar and fellow of New College, Oxford, a Double First, and Hertford, Ireland, Derby, and Eldon Scholar successively in 1884, 1885, 1887, and 1888—he entered at Lincoln's Inn and was called to the Bar there in 1891. He acquired an extensive practice both as a conveyancer and in court, and was a very sound, careful, and judicious lawyer. For many years he was on the Bar Council and on the Superintending Committee of the Barristers' Benevolent Association. The reputation in which he was held by his brother conveyancers is shown by the fact that he was a Member of the Institute of Conveyancers and was one of the Standing Committee of the Institute. He had prepared the sixth edition of the late Sir EDWARD FRY'S classic work on Specific Performance, and it was a melancholy coincidence that this was published just at the time of his death. If he did not attain the position in the greater world which his early achievements seemed to promise, he had what many a lawyer would regard as still more welcome, the satisfaction which comes from great learning diligently and successfully applied in what in its way is the most interesting of all callings—that of the equity draftsman and conveyancer; and he held the affection which his genial and kindly nature inspired in all who came in contact with him.

The New Poor Persons Rules.

WE PRINT elsewhere the new Poor Persons Rules which come into effect to-day. We explained recently (*ante*, p. 128) the circumstances to which they are due, and called attention to the appeal of the President of the Law Society to the profession to make them a success. The chief changes are that an income test is introduced for "poor persons," and that a deposit must be made to cover essential expenses, to which alone solicitors can look for payment (rules 22, 23). Solicitors or counsel reporting on a case must, where possible, personally see the applicant (r. 26), and in matrimonial causes the reporter must obtain from the applicant an affidavit in the prescribed form (r. 27). The solicitor to whom a case is assigned for conducting must send a report annually to the prescribed officer showing the progress and result of the case (r. 31c). Out-of-pocket expenses can be obtained out of the deposit in court on application to the prescribed officer, but no fee is to be allowed to a reporter for the report, and the conducting solicitor will not be entitled to any payment for office expenses (including charges for stationery or copying done in his office (r. 31e). In matrimonial causes every petition or answer must be drawn by a barrister and signed by him, and proofs of the witnesses must be furnished to him with the instructions (r. 31f). We also print elsewhere rules which have been made with respect to cases pending on 1st January. Cases which have been already assigned for conduct will proceed under the old rules. Cases already assigned for inquiry only will proceed under the old rules up to assignment for conduct and then under the new rules.

The New Statutes.

A CONSIDERABLE batch of Acts received the Royal Assent on 23rd December. These include the Juvenile Courts (Metropolis) Act, the Roads Act, the Agriculture Act, the Juries (Emergency Provisions) Act, the Defence of the Realm (Acquisition of Land) Act, and the Administration of Justice Act. The Juries (Emergency Provisions) Act cures certain irregularities under section 50 of the Juries Act, 1825, in the summoning of jurors. Comment on most of the Acts is useless until the actual text is published. It would require, for instance, a minute examination of *Hansard* to discover in what form exactly the Agriculture Bill became an Act. The case is simpler with the Administration of Justice Act—the most interesting of the batch to lawyers—for this went through, we believe, without alteration. This confers divorce jurisdiction on judges and other commissioners of assize, but restricted to classes of cases prescribed by the Lord Chancellor, with the concurrence of the Lord Chief Justice and the President of the P.D. & A. Division. Lord BIRKENHEAD stated in one of his recent articles in *The Times* that it is proposed, in the first instance, to send for trial on circuit only undefended and poor persons' cases.

The Administration of Justice Act.

APART FROM divorce jurisdiction, the most important of the provisions of the Act are those restricting the right to trial by jury in the High Court and the County Court. But these do not come into operation till the expiration of the Juries Act, 1918—that is, six months after the termination of the war—or on such earlier date as may be specified by Order in Council. But there are a number of interesting miscellaneous provisions. In cases where a defendant pleads guilty or admits the truth of a charge before the magistrate, the grand jury must return a true bill without hearing any witnesses. The Admiralty jurisdiction of the High Court, unless the owner or any part owner is domiciled in England or Wales, is extended to—

- (a) any claim arising out of an agreement relating to the use or hire of a ship; and
- (b) any claim relating to the carriage of goods in any ship; and
- (c) any claim in tort in respect of goods carried in any ship.

The existing power under the Judicature Acts to make rules as to proof of particular facts is extended. Provision is made for the reciprocal enforcement of judgments in the United Kingdom

and the other British Dominions. Probate can be granted to corporations, thus rendering unnecessary the introduction of "syndies." Administration bonds will be given to the Crown, and not to the President of the P. D. & A. Division. New provision is made as to prescribing fees to be taken by Commissioners of Oaths, and as to making regulations with respect to the enrolment of deeds in the Supreme Court. Such enrolment is made under R.S.C. Ord. 61, r. 9, but there has been hitherto no general power of making rules.

The late Judge Mackarness.

THE SUDDEN death of His Honour Judge MACKARNES will have caused great regret to many who were his colleagues in the Inns of Court or practitioners before him in his county court. The late judge was a man of winning and affable manners, whose disinterested sincerity, warm-hearted love of justice, and conscientious anxiety to do right, won the respect of all who knew him or appeared before him. He was, too, a man who always lived at a high intellectual level, and retained to the verge of seventy the ardent, not to say passionate, attachment to great causes and the advance of humanity, which is frequently found in youth, but rarely survives into the wintertime of old age. But Judge MACKARNES never allowed professional success to turn him cold or professional experience to make him cynical. A careful and scholarly lawyer, he had an admirable sanity of mind which saved him from that tendency to fads and crochets which is the besetting weakness of generous minds. Always a humanitarian and an advocate of "*Fiat Justitia, ruat cælum*," he never allowed the practical work of a judge to be unduly influenced by his own personal enthusiasm or ideals; he endeavoured to do the right thing always in the correct legal way. As was once upon a time said of Chief Justice MANSFIELD, he had perhaps a weakness: he "imported too much of equity into the law"—which, as Lord MAHON says in his note on that great judge, sounds rather like a satire on the legal profession until its meaning is explained to the layman. MACKARNES had lived a full and active life, more varied as well as more strenuous than usually falls to those unadventurous members of the Bar for whom a seat on the county court bench is reserved. Educated in England, he practised in youth at the Cape Colony Bar and spent some years as a colonial magistrate. Unlike some others who have commenced their careers in the colonies, he always remained a thorough Englishman in his attitude towards natives and their rights; to the end he advocated these with self-sacrificing zeal. In early middle life he divided his energies between a common law practice on the Western Circuit and a busy political career as the advocate of justice to Africans and Indians. In later middle life he found his way into Parliament and the evening of his days was spent on the county court bench. Men like Judge MACKARNES, high principled and generous, as well as genial and practical, help to preserve the bar from becoming a mere profession of gladiators, selling their skill to the first bidder, and keep before their fellows the tradition of noble ideals.

The Liberty of the Press.

THE SENTENCE of twelve months' imprisonment on two directors of the *Freeman's Journal* and the fine of £3,000 imposed on the company owning the paper recently imposed by a court-martial in Dublin, are based on jurisdiction conferred by the Restoration of Order in Ireland Act, 1920, and the regulations made under that statute, and it is not easy to test their justification by the ordinary principles of law affecting liability for newspaper reports and comments which reflect upon acts of the executive and of persons for whom the executive is responsible. The liberty of the press is a term in common use both here and in the United States, but technically, it means no more, perhaps, than the right of publication without preliminary supervision, subject to liability if the publication, in fact, involves an infringement of the law, that is, if it amounts to a seditious libel. Substantially, however, the term connotes something more than this; it implies that

honest comment on the proceedings of the executive shall not be prevented by the law of seditious libel; in other words, that such comment shall not be treated as seditious. "The liberty of the press," said ALEXANDER HAMILTON, in a famous argument in 1804 (*People v. Crosswell*, 3 Johns. Cas. 337, 411), "consists in the right to publish with impunity, truth, with good motives, for justifiable ends, though reflecting on government, magistracy, or individuals."

The Law of Seditious Libel.

HOW FAR THIS principle was incorporated in the First Amendment (1789), which declared that Congress should make no law "abridging the freedom of speech or of the press," is still a matter of discussion, and it has been brought into prominence lately by a series of decisions of the United States Supreme Court in cases arising under the Espionage Act, which corresponds to our D.O.R.A., notably *Abrams v. U.S.* (250 U.S. 616), in which an important dissenting judgment, requiring intent to bring about a clear and imminent danger to the State to be strictly proved, was delivered by Justice HOLMES. The matter is discussed in articles in the *Yale Law Journal* for last November. In this country we have no constitutional written rule to deal with, and the law of seditious libel must be taken from cases ranging over the last 150 years, of which *R. v. Sullivan* (1868, 11 Cox C.C. 44) and *R. v. M'Hugh* (1901, 2 I.R. 569) are modern examples. Ordinarily, comment which is intended to show that the Government have been mistaken in their measures is not seditious (see Stephen's "Digest of the Criminal Law," 6th Ed., pp. 70, 71), and it can hardly be seditious to publish accounts of improper acts on the part of the executive. Whether inaccuracies in such account make the matter seditious is a question which would have arisen in the present Irish case if it had come before a criminal court, and if the inaccuracy had been established. But the proceedings of a court-martial do not allow of the discussion of principles of constitutional law, nor can any such discussion arise in the absence of the ordinary safeguards of a jury to find the facts—including libel or no libel—and a judge to offer such direction as under Fox's Libel Act of 1792 is permissible. As to the propriety of the sentence of the Dublin court-martial, in view of what is becoming known of events in Ireland, we need offer no comment; but we may note that the primary duty of a newspaper is to report facts which are reasonably believed to be true and which are of importance to the public, without regard to their political bearings.

Semi-private Executions.

THERE IS ONE event of great human interest which attaches itself to Henry Wainwright's case noticed last week. Public executions had recently been abolished. But the morbid and depraved public who delighted in attending such spectacles, like those who attend boxing-matches, could not all at once lose their taste for the scene. Old gentlemen of fashion who had been visiting executions at Newgate all their lives felt the deprivation keenly. If they had influence they could still satisfy it, however. For the governors of prisons were authorised to admit a certain number of official persons as "witnesses" of the execution: and this privilege, like that of a seat on the judicial bench during a famous trial, was much appreciated and eagerly sought. The abuse was so great, so many sham officials sometimes attended, that gradually the Home Office was induced to interfere and forbade the presence of any except journalists, the chaplain, the governor, and other strictly necessary parties. Nowadays, even journalists no longer attend. But when Henry Wainwright went to the scaffold at Newgate on 31st December 1875, some part of this evil tradition still occasionally survived. By the invitation of the Lord Mayor and the Sheriffs, sixty persons had actually been invited to attend inside the prison as witnesses of the execution. The scene has been described as "absolutely Hogarthian." The cold December morning, the waning moon, the rope dangling to and fro in the shed to await its victim, a flaring and noisy gaslight, the well-dressed crowd of privileged

visitors come to see the show, the footmen of the sheriffs, some of whom—less callous than their betters—had obviously fortified their spirits for the occasion; the whole scene was ghastly and sickening in the last degree. Wainwright, according to a reporter who was present, stepped out firmly to the scaffold, turned round on the spectators with a glance of infinite scorn, and said, with a contemptuous movement of the head: "Come to see a man die, have you, you curs." "Villain though he was," adds the narrator of this episode (Thormanby's "Spice of Life," p. 162), "he did die like a man, and I have felt ever since sick and mean and ashamed of myself."

Wainwright and Eugene Aram

TO STUDENTS of criminology and of the new psychology one characteristic of Wainwright may suggest a clue to his crime. Wainwright was a cultivated and educated man of business, who read literary papers at scientific institutes, was the genial friend of innumerable players, and delighted in delivering recitations at his own hospitable board. His favourite piece, we are told, was "The Dream of Eugene Aram." This is, indeed, significant. For Wainwright, like Eugene Aram, was a man of education and refinement and even accounted kind-hearted by his family and friends, the last man, *prima facie*, likely to commit a heartless and treacherous murder and to bury his victim in lime beneath the floor of his own warehouse. The crime, indeed, he committed in order to escape from the entanglements and exposure of the double life he had been living, and not for the sake of gain. But its ghastly character seemed strangely inconsistent with his repute among his fellows. Perhaps the secret lies in his histrionic and dramatic complex. He had felt fascinated by the situation of Eugene Aram, concealing and then destroyed by the discovery of a hidden crime. May not this have led him, in a moment of temptation, to enter a similar sphere of concealment and apprehension? He took upon himself the awful situation in which he had so often revelled in sympathetically imagining another. It all reads rather like a Freudian complex; but we hesitate to talk in the jargon of psycho-analysis. Perhaps, however, Wainwright's case is that of a deeply imaginative man who allowed to himself a morbid sympathy with one highly fascinating criminal situation until he lost all sense of horror at the crime and even came to commit a similar crime himself. The moral is obvious.

Henry Wainwright and the late Mr. W. S. Gilbert.

CURIOUSLY ENOUGH, the only case in which the late Mr. GILBERT of "Gilbert and Sullivan" fame, is known to have held a brief, was the case of *R. v. Henry Wainwright* (*supra*). It was at the police-court W. S. GILBERT appeared. He was only junior to Mr. BESLEY, a well-known Old Bailey advocate in the seventies who, in fact, conducted the defence. A happy accident brought W. S. GILBERT into connection with the case. Although a barrister, GILBERT did not practise, and so was not entitled to the exemption from jury service conferred by law on practising barristers. Just when he was writing one of his most difficult operas, and required unbroken leisure to conclude it, he received a summons to attend a jury. He took the advice of the clerk of the peace, and found that he was not likely to be allowed exemption. But the clerk suggested that some friend at the Bar might get for him a mere nominal brief in some current case, and so enable him to escape. GILBERT took the hint. He got Mr. BESLEY to get him a junior brief on the defence of Henry Wainwright at the police-court. He actually attended one day—and had a surprise. For some time past he had frequently noticed in the London streets a man who bore a remarkable resemblance to one of his deceased friends. He often wondered who this double might be, but never had courage to stop him and enquire his name. Great was his unsatisfied curiosity. Well, he turned up to defend WAINWRIGHT before the magistrate; the prisoner entered the dock; imagine GILBERT's astonishment when he saw before him the mysterious double who had so often crossed his steps!

Professor Maitland as a Jurist.

IT IS FOURTEEN years since the early death of Professor MAITLAND deprived England of her greatest legal historian; but the memory of MAITLAND is still green with all who attended his lectures or read his books, and the article on him which was the chief feature of the *Times Literary Supplement* of 9th December will make an appeal to many who feel that the world at large has failed to give due recognition to his unquestionable greatness and genius. MAITLAND was not merely a profoundly learned historian and a most original investigator whose researches have modified the whole theory of the origin of our legal institutions. He was not merely a scholar of insight and imagination who saw into the life of the common man in past ages in a way none of his predecessors had ever done, and who contrived to turn legal records, taken from pleas in manorial courts and dusty year books, into a vivid picture of the epoch of which they are the commonplace and humble domestic records. He was at the same time a great literary artist. His style is inimitable. His books are intensely readable. MACAULAY and FROUDE and HILAIRE BELLOC are his only English rivals in the presentation of history as if it were a fascinating romance. They are not his superiors. MAITLAND's style is not less brilliant than theirs, and his subject-matter was one ten times harder to make readable or entertaining. Few students will forget the illumination which—to take one instance—his article on the "Beatitude of Seisin" threw on the history of our law of property.

The Jurisdiction of Gaol Delivery.

WE have grown accustomed, in the present age, to the King's Red Judge as he who holds in his hands, and his alone, the right to assume the black cap and pass a sentence of death. It will come, therefore, as a surprise to many lawyers as well as laymen to find that such a right has been definitely claimed in this twenty-first year of the Twentieth Century on behalf of the Justices of Peterborough: *R. v. Frederick White Holdich* (*Times*, 22nd December). Yet in the case just quoted this claim in effect was made, only to be overruled by the Court of Criminal Appeal. It is true that the actual claim was merely the right of justices in the Quarter Sessions of Peterborough assembled to hear and determine an indictment of perjury. But perjury is one of the offences which Quarter Sessions are debarred from trying; and, therefore, the defence had to set up a special claim on behalf of the Peterborough Justices to possess all the common law rights of a Court of Assize. Such rights do inhere by statute in one Court of Quarter Sessions, namely, the Central Criminal Court, which is simply the old Quarter Sessions of the City of London, as distinct from the County of London, reconstituted and given special powers by statute. Indeed, as Mr. Justice DARLING remarked in the case on which we are commenting, the Lord Mayor or an Alderman of the City of London can try a murder case at the Old Bailey if they please. They never do exercise this jurisdiction, but wisely confine themselves to the performance of a dignified and ceremonial part in Court. That the Quarter Sessions of Peterborough should put forward such a claim, however, must startle most practitioners.

The facts of the case are simple enough. The appellant was accused of perjury and committed for trial to the Quarter Sessions of the "Liberty of Peterborough," an ancient court which hears and determines cases arising in a special area defined by a series of Charters. He was convicted and sentenced to six months' hard labour. He appealed on the ground that the trial was outside the jurisdiction of the court, since Quarter Sessions are debarred by statute from trying certain offences of which murder, rape, robbery, forgery, and perjury are the principal ones. It was therefore necessary for the prosecution to show on the appeal that the Court of Quarter Sessions has the anomalous and peculiar jurisdiction claimed. The jurisdiction of the court is founded on a series of ancient Charters, reconstituted by one dated 1493, constituting justices for the "Liberty of Peterborough"—a district of eight old "hundreds" formerly under the dominion

of the Abbot of the Burgh of St. Peter—into a court possessing the power of "gaol delivery." These Charters had never been questioned by Quo Warranto, as were most ancient and anomalous jurisdictions, in the reigns either of Henry VII or of Charles II, and had never been annulled or cancelled. Hence, unless impliedly repealed by the general Acts relating to Courts of Quarter Sessions, these justices still possessed all the power of a Commissioner of "Gaol Delivery." It will be recollected, of course, that a Judge of Assize is also a "Commissioner of Nisi Prius," of "Oyer and Terminer," and of "Gaol Delivery," which latter phrase has usually been held—no doubt correctly—to confer on him the power, and impose on him the duty, of emptying the gaols by trying all cases awaiting a determination.

Now, as the argument in the appeal developed, a number of interesting points arose. One concerned the exact limits within which the Justices of Peterborough could exercise whatever jurisdiction their Charters confer upon them; but the Court had not evidence on which to decide this interesting point, and in fact did not need to do so. It therefore remains for argument in some future case. Another concerned the actual appointment of the justices who composed the court. They had been unable to produce a Commission from King George, or his predecessor, King Edward VII; their most recent appointment was under a Commission of Queen Victoria's reign. That, too, raised an interesting problem into which it was not necessary to go. Again, the precise meaning of a Commission of "Gaol Delivery" was not gone into, nor the problem whether such a Commission can validly at law be granted to two or more Justices of the Peace who have not the qualification nor hold the appointment of a High Court Judge or a King's Counsel. The only question which the Court considered was whether or not the Justices in fact did possess the right of "Gaol Delivery" claimed; if they did not possess it, and the Court decided against their claim to possess it, then their whole jurisdiction to try a case of perjury admittedly went by the board. So an interesting historical issue had to be considered by the Court of Criminal Appeal, not a court with any special facilities for disposing of intricate historical questions of this kind. The history of the Court may be summarised in the words of Sir JOHN SIMON, one of the counsel employed in the case, as reported in *The Times* :—

"Until the time of Henry VIII. Peterborough was known as the Ville or Burgh of St. Peter. A monastery was founded there in Saxon times, and in the Middle Ages it became one of the richest ecclesiastical foundations in the country. The learned counsel read a document dated 1493 (the eighth year of Henry VII.) which recited that a grant was made by Edward IV. to the Abbot of Burgh St. Peter conferring upon him the right to appoint judicial officers who should be justices with power of gaol delivery, which meant that they could deal with everybody in the gaol, whatever the offence with which they were charged. Further, one of the persons nominated by the Abbot was to be a justice of assize for keeping the peace for the county of Northampton. Henry VII. expressly and deliberately cut down these rights. In spite of the fact that Edward IV. had been careful to grant to the Abbot's predecessor the right to appoint persons who should have power of gaol delivery, when Henry VII. renewed the grant he refused to follow the precedent, but granted a right to appoint 'three or four sufficient persons' who should do all things which pertained to the office of such a justice—meaning a Justice of the Peace."

"On the dissolution of the monasteries in the time of Henry VIII. the Abbot was appointed Bishop, the King resumed dominion over the eight 'hundreds,' and granted one, known as Ness of Burgh, to the Bishop, and another, called Ville of Burgh, to the Dean and Chapter. The Bishop of Peterborough was chaplain to the great Lord Burghley, who lived at Stamford, in the reign of Queen Elizabeth. By a very nice little arrangement the Bishop surrendered his 'hundred' to Queen Elizabeth, and she granted it to Lord Burghley. It was Lord Burghley's descendants who asserted that, by virtue of their title, they had a right to try somebody who was said to have committed perjury in the Ville of Peterborough."

"The next document was a statute of Henry VIII., dated 1536, the effect of which was that neither the abbot nor any other private person could make justices. On the contrary, they were only to be made in the way in which they were commonly made in every shire of the realm. This statute was part and parcel of the King's policy towards the Church, because it excepted cities, boroughs, and towns corporate. A special provision excepted from the new law the Bishop of Ely, the Bishop of Durham, and the Archbishop of York, the last-named having endeavoured to persuade Katharine of Aragon to agree to a divorce. This Queen had a special association with Peterborough, because she was buried there, as was also Mary Queen of Scots."

It will be seen that the crucial date and document are Henry VII's Charter of 1493, which expressly cut down the very wide rights conferred by Edward IV, but still empowered the justices to do "all things pertaining to a Justice of the Peace." This seems a great limitation. Possibly, as Sir JOHN SIMON suggested, the traditional view held in the Court and on Circuit, that its powers are those of a Court of Gaol Delivery and not merely those of justices—which are all this document appears to recognise—is due to an historical error. A misreading of this document may have led officials and other investigators to assume that it repeated in the time of Henry VII the same powers for the then Abbot as the Abbot in the time of Edward IV had enjoyed. However this may be, it is impossible to hold that Justices of the Peace in the reign of Henry VII had the powers of "Gaol Delivery." At Common Law, of course, their powers were very much wider than they possess to-day, but there is no evidence that they could ever try two such crimes as forgery and perjury. The Court of Criminal Appeal accepted this view and refused to treat the Court of Quarter Sessions as a Court of Gaol Delivery. They held that the chairman and the two justices who sat with him had never been constituted into a court with the power to demand a "Gaol Delivery," and therefore could claim no power greater than that reserved by statute for any ordinary Court of Quarter Sessions. The trial was therefore without jurisdiction and the proceedings were quashed. It is certainly interesting to find any body of justices to-day solemnly attempting to claim and exercise a jurisdiction based merely on ancient historical documents.

The County Court Staff Committee's Report.

II.

As we said last week, the Committee are strongly of opinion that, if it were possible, every registrar should be debarred from private practice:—

"It is not in our view compatible with the proper administration of justice that a solicitor with a local practice should sit and discharge judicial functions in the locality in which he practises when he may have his own clients and other persons with whom he transacts private business coming before him as litigants."

But they add that they have no reason for supposing that any registrar has, in fact, abused his position. The opinion is based on the necessity of securing public confidence in the administration of justice. But with the large number of small courts which will not justify the employment of a whole-time registrar, it is recognised that this ideal is impossible of immediate attainment. It is pointed out, however, that a great deal can be done by combining or grouping the offices of registrars, and there are cases in which small and unnecessary courts can be entirely suppressed. It is recommended, therefore, that before any new appointment of a registrar is made, it shall be considered whether the vacant office cannot be filled by some registrar already on the circuit. But wherever, in view of all the circumstances, it is possible, a whole-time registrar should be appointed, and he should, as a condition of his appointment, be debarred from private practice. In Appendix D a list is given of courts which, in the opinion of the Committee, should have a whole-time registrar. These, including courts where there is such a registrar at present, are 41 in number. On the other hand, there are 19 courts which at present have a whole-time registrar, but which the Committee think should be grouped, or have a part-time registrar only.

With regard to the appointment, qualifications and salaries of registrars, the Committee recommend that, since the appointment of a new registrar "will involve the consideration of the county court system as a whole"—in that particular district, we presume, is meant—the appointment should be made by the Lord Chancellor, and not, as now, by the judge with the approval of the Lord Chancellor; that the registrar should be a

solicitor of seven years' standing, instead of the five years now required by section 25 of the County Courts Act, 1888; and that in the case of whole-time registrars, there should be a fixed net salary of not less than £800 nor more than £1,200. The office should, as after-mentioned, carry the right to a pension, and also to any war bonus or other bonus or additions to remuneration payable to civil servants.

With regard to retirement and pensions, it is considered that seventy should be the age for retirement, and that the pension should be measured in sixtieths according to the system in force in the Civil Service before 1909. To reckon the term of service entitling a registrar to full pension, the age of forty-six is taken as the average age on appointment, and from that age to seventy—twenty-four years, or as a round figure twenty-five years—would be the full term. Registrars retiring at a younger age than seventy, and after having served fifteen years, should be entitled to a proportionate pension, and those breaking down in health after five years should also have a pension proportionate to their length of service. Existing registrars who are not subject to retirement, and who are entitled to pensions on the usual Civil Service lines—a full pension, that is, requiring forty years' service—would have the option of accepting the new terms or of continuing on the present terms. It is also recommended that part-time registrars should have a fixed net inclusive salary of not less than £100 or more than £700, the amount to be determined according to the business of the courts, and the extent of the registrar's responsibilities, but there would be no pension. The part-time registrar should not be debarred from private practice, that is, the custom of requiring an undertaking not to practice should be stopped:—

"We think that, unless the court is sufficiently important to justify the appointment of a whole-time registrar, there is no other course but to appoint a part-time registrar without any restriction against carrying on private practice, except that imposed by section 41 of the Act of 1888."

We need not notice in detail the Committee's review of the position of high bailiffs. Section 37 of the Act of 1888 provides that, as a general rule, on the office of high bailiff becoming vacant, his duties shall be taken over by the registrar who receives an increment of one-fifth of his—the registrar's—salary, with certain allowances; but a separate high bailiff may be appointed if the Lord Chancellor, with the consent of the Treasury, so determines. There are now twenty-six high bailiffs of the "over-6,000" courts. The Committee, after carefully considering the matter, are of opinion and recommend—

"That no more separate high bailiffs should be appointed even in the larger courts; that the duties of the high bailiffs should be performed by the registrars and be considered as paid for by the fixed inclusive salaries which the Committee have recommended for the registrars; and that all profit on possession fees and all other fees now payable to high bailiffs should be paid to the Treasury. This course would, in our view, make for substantial economy and promote the efficiency of the courts."

A large part of the Report is devoted to the consideration of the position of the clerks employed in the County Courts. At present these clerks, whether their remuneration is provided, as in the case of whole-time registrars, by the State, or is provided, as is usual in other cases, by the registrar out of his own remuneration, are the employees of the registrars. But, as the Committee observe, the County Courts form an important and integral part of the machinery for the administration of justice, and the clerks in the County Courts are engaged in duties analogous to those performed by the clerks in the Supreme Court, and the former clerks "are in reality and substance concerned in the service of the State, and not in the business of a private employer."

"The present position has given rise to a serious situation, which if it is not remedied may gravely impair the efficiency of the courts."

"The time has therefore come to review the whole system of appointment and remuneration of the subordinates in the staffs of the courts from the standpoint of the present position of these courts. That system, however appropriate it may have been sixty years ago, when the courts were in an experimental stage, now requires in our opinion a radical overhaul."

Objections, however, have been raised to such an alteration in the status of the clerks as would recognize them as servants

of the State, and not the mere employees of the registrars. Thus, it has been suggested that the change would involve increased expense to the public, and increased difficulty in administration. That there would be some additional expense is admitted, but under the present system there are a number of clerks in the County Court service who are not in receipt of an adequate salary or wage. "In some instances clerks of several years' experience are paid less than the wage at the present day of an unskilled manual labourer." And as to difficulty in administration, the Committee consider that, even if the clerks ceased to be the employees of the registrar, yet he would be responsible for their due supervision, and the effect of the responsibility would be to maintain the present character of the service:—

"Both as to registrars and clerks, therefore, there would be every inducement to vigilance and honesty. But something more may be said. We are satisfied that the clerks, as well as the registrars and other officials, are, as a body, actuated by a keen sense of duty, that they take great pride in the efficiency of their respective courts, and that they display a keen interest in their work. It is only just that this should be stated, for to it much of the present efficiency of the courts is due.

"The Committee are of opinion that it is contrary to principle that when the State assumes that responsibility towards the clerk which is involved in paying him a salary out of State funds, whether as part of a lump sum clerk-hire allowance, or part of a gross salary paid to the registrar, or by paying him a war bonus calculated by reference to his salary, the State should have no voice as to the conditions of the clerk's appointment, employment, retirement or dismissal, or as to the amount of salary allotted to him individually by the person with whom his contract of employment is individually made.

"Careful consideration, therefore, leads to the conclusion that the objections raised to the proposal to make the clerks public servants are not such as to outweigh the advantages of what is felt to be a measure both of expediency in the public interest and of justice to a deserving body of men."

The Committee add that the same considerations apply with even greater force to bailiffs, and support their opinion by reference to their special responsibilities and liabilities. In the result the Committee make a series of recommendations, the effect of which would be to give all whole-time clerks and bailiffs the status and advantages of civil servants. We print them in full on another page. Mr. BRIDGEMAN, who, with the other members of the Committee, signs the Report, adds a memorandum in which he argues against increased remuneration to registrars and against the change in the status of clerks, and, since the other members regard it as substantially traversing the Report, they append a memorandum in reply. But into these discussions we need not go. The Report as a whole appears to be calculated to promote the efficiency of the County Court system.

General Smuts' Theory of the British Constitution.

III.—The Continental and West Indian Plantations.

In our first two articles, it has been shown that the theory of the British Empire, currently accepted in the first half of the seventeenth century, was very different from that which is now orthodox doctrine in England. The King, not the Parliament, was then possessed of sovereign power, both in England and in the English colonies abroad, or "Plantations" as they were then styled. Not till CROMWELL's time did the English Parliament claim or exercise any authority in America, and not until the Whig Revolution of 1689 had altered the centre of gravity in the relations of King and Parliament was such claim to parliamentary authority in America generally advanced in England. In America itself it was acquiesced in, but never finally accepted; and in 1775, the American States revived the old doctrine which had been general in the days of the Cavaliers. But they revived it, as will be seen in due course, in a very different shape.

A distinction, however, must be drawn between three sets of "Plantations" in America. The West Indies and New York, which was ceded by the Dutch, not settled by the English, held a different theory from that current on the mainland of North America—among what were then known as the "Continental" colonies. The King claimed possession of his "Plantations" on the Continent of America in his own right as an individual. They had been discovered by JOHN CABOT, the King of England's agent, but not a British subject, and as CABOT's principal, the King claimed under International Law the ownership and overlordship of America. The English

people were not concerned in it; no more were the Scottish or the Irish. The King, in fact, either granted out his continental colonies under a Charter to bodies of adventurers, as in Pennsylvania, Carolina, Maryland, Virginia and elsewhere, or founded a settlement himself, and then granted to the settlers a Constitution; in the former case, the colony was a "Chartered Plantation"; in the latter case, it was a "Royal Plantation" of which the King owned the land directly, and appointed the Governor; but in neither case had the English Parliament any say in the matter. Both in chartered provinces and in royal provinces alike, the people were governed in accordance with the Constitution granted by the King, not in accordance with the Law of England. Their Common Law, it is true, consisted of the Common Law of England, and the English statutes enacted prior to the foundation of the colony; but these were law, not because they were the Law of England, but because they happened to be the "customs" of the settlers—and in the "Plantations," as elsewhere in the European system of social order, the Common Law of a country consisted in the customs accepted by its inhabitants.

Again, the land of a continental colony was not English land, but the property of the King as an individual. In the royal provinces he remained feudal owner, and granted out the land in manors to the actual landowners. In the chartered provinces, the whole land was usually granted as one entire manor to the Governing Body, who then granted estates in fee to the proprietors. For *Quia Emptores* did not apply, and did not prevent subinfeudation, being "contrary to the custom" of the plantation. Except in New York, which was a conquered province, and therefore subject to different considerations, no one of the continental colonies, we believe we are right in saying, was part of any English Manor. It was not part of the soil of England, either in fact or in legal fiction, because it did not belong to the Crown as such, but to the King as an individual.

Now, in the West Indies, all was different. These colonies were never part of the discoveries of JOHN CABOT: it was COLUMBUS and Spain who had in them the title based on discovery. England, in fact, acquired all, or nearly all, by conquest from Spain, France and Holland. It was the King's navy and the King's forces which made these conquests. They were made for the Crown of England, not for the King in person. The treaties which ceded them, or recognised England's title to them, granted them to the English Monarchy, not to the King. Hence the West Indies were English soil. Hence these constitutions were really made by the King with the assent or acquiescence of Parliament. Their Common Law was either that of the country from which they were taken, or that of the England of the day. Their soil was English soil, in legal fiction, and therefore it had to be situated in some English manor. In fact, by a fiction, the site was laid in the Royal Manor of Greenwich; we believe the West Indies are still theoretically part of that manor, for a few obsolescent purposes of law, such as the laying of Crown Information in the King's Bench for crimes committed by Governors in the islands. A land registration system, of course, has, in practice, long since been established by Royal statutes in all of our West Indian colonies.

Hence it came about that the West Indies never at any time put forward the bold claims to independence of the English Parliament afterwards set up by the thirteen revolting colonies in America. They could not do so. For nothing in their history or the constitutional law long accepted by their judges gave any colour of right to such a theory. In the West Indies the bar consisted of gentlemen called at the Inns of Court. The judges were sent out from England, as they are to-day. The governors and civil servants came from England. But in the continental colonies there was in each a local bar with local traditions of its own, and the judges were usually local lawyers appointed by the governor on the advice of his responsible ministers; there was complete practical independence of England. This, therefore, made all the difference when the thirteen continental colonies set up a claim to independence in 1775. The West Indies did not join them. No doubt there were many reasons for this. The English navy could easily have subjugated these islands and reduced them to obedience. The white subjects were few in number, and always in fear of a slave rising; then, as now, they depended on the protection of English troops and an English squadron. The lawyers, judges and officials—in fact, the whole of the educated population—were men educated, often born, in England. Naturally, these causes predisposed to loyalty, perhaps even compelled it. But these material reasons were not the whole ground of the fidelity to the English allegiance shown by the West Indies. There was also, there, as in conquered Canada, a different legal relationship to the English State and a totally different tradition.

In the same case lay such continental "Plantations" as New York and Canada. The former had been ceded after warfare by the Dutch; the latter by the French. JOHN CABOT's title availed not in either. They were, therefore, part of English soil and the domain of the English State as such, not of the English King. Hence in New York and in Canada it was never possible to set up the theory that Parliament had no jurisdiction to legislate or tax. On the contrary, New York State, from its earliest acquisition by England in the reign of Charles II, always acknowledged the supremacy of Parliament. This fact has led to confusion in two directions. In the first place, since New York land was often treated as part of various Royal Manors in England, just as was land in the West Indies, it has been hastily assumed that all American land was in the same position. This is a mistake, based on false analogy. New York was a possession of the English monarch as such; the other continental colonies who revolted in 1775, were not; they were possessions of the King of England as a person. Again, since New York lawyers and judges from

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the beginning at once acknowledged the supremacy of Parliament, it has been assumed that all the other colonies did the same. This, again, we believe to be an error. New York precedents of the seventeenth and eighteenth centuries are irrelevant and worthless as evidence that there ever was acquiescence of the thirteen continental colonies in the claims of Parliament to sovereignty. But they naturally led to a mistaken theory prevailing among English lawyers and even sometimes getting accepted in error by American writers and politicians.

A similar reason accounts for the omission of the Canadian provinces to join the thirteen in 1775. Of course, the Canadians were French, not in sympathy with the New Englander whom they had recently been fighting. They were Roman Catholics, who wished not for Puritan rule. But even after France and Spain had entered the American War of Independence as the allies of the thirteen states, the Canadian provinces showed no desire to join them. Here, again, material reasons counted for something: Canada was full of English fortresses, soldiers, ships of war. But constitutional reasons also affected the case. The Canadians could not possibly lay claim to any independence of the English Parliament.

Now, as we saw in our first article, it was OLIVER CROMWELL who first asserted in clear terms the modern view of our Imperial Constitution. CROMWELL found it necessary to send into the West Indies and to Virginia expeditions to crush the Royalists. He also took from Spain and France more than one of our modern colonies; the chief of his conquests was the island of Jamaica. By the power of the sword he ruled in America, both on the continent and in the islands.

When CHARLES II succeeded to the throne of England at the Restoration of 1660, he took over all the conquests of CROMWELL in America. Spain, indeed, his former benefactor, claimed back Jamaica, but CHARLES would not give it up. He accepted, then, a Parliamentary title to the West Indies. He adopted, too, and extended the Navigation Act of CROMWELL, which imposed considerable restrictions on the trade of the continental colonies. In other words, he practically abandoned any claim to be a king by "divine right" either in England or in America. He was content to accept a Parliamentary title in England, and even—by false analogy—to treat his claim to be king in America as if it were based on the same recognition of his rights by the English Parliament. The result is that in England all parties and all lawyers tacitly abandoned the old theory that the American plantations were the private possessions of the King. They were quietly treated as part of English soil. Parliament proceeded to legislate for them; but its legislation was mostly confined to matters of imperial and foreign trade; it did not attempt internal interference in the affairs of the colonies. Hence, in practice, the latter acquiesced by their silence in Parliamentary claims to rule over the Empire as well as over England, although the acquiescence was purely passive. In fact, there was never at any time from 1689 to 1775 any lack of occasional protests against the English claim from particular jurists and politicians in Virginia, Massachusetts, Connecticut, and other colonies.

The Revolution of 1689, as a matter of fact, made greater changes in our Constitution than is usually supposed. It effected at least three separate and vital changes:—

(1) The Legislative Sovereignty of the King in Parliament was substituted for that of the King as monarch.

(2) The Empire was treated as one whole, which, since it had one King, must be under the ultimate sovereignty of one Parliament as well, which could legislate for any part of the Empire.

(3) The Colonial Constitutions and Parliaments were regarded as subordinate, and not as independent and allied, sovereignties.

These doctrines have now for long been the commonplaces of English Constitutional Law. But America never accepted them, not even the first. It set up three alternative doctrines, each of which played a great part in the long verbal struggle from 1662 to 1675. One of these was the doctrine that the King, ruling in accordance with the Charters and Constitution, was sovereign in each colony. Another vested the sovereignty in the State as such, and treated the King as only owner of the land. The third vested the sovereignty in the "American people." JAMES OTIS of Massachusetts, PATRICK HENRY of Virginia, and the famous THOMAS JEFFERSON, each a lawyer of eminence, fathered respectively these three theories, the discussion of which must be reserved for our next article.

(To be continued.)

At Willesden on 21st December, says the *Westminster Gazette*, Mrs. Saunders, of 28, Bourke-road, Church End, Willesden, was summoned under the Rent Act by Mrs. Doris Haynes, of the same address, her tenant, for demanding £3 as a bonus in consideration of accepting her as such. Mrs. Haynes said that the money was paid as a condition of tenancy, but at the time it was thought the £3 was rent in advance, it being later discovered that the landlady regarded it as bonus. For the defence, Mr. Groebel argued that if the money had been, in fact, paid it was not paid by the tenant nor received by the landlord, the husbands of the parties being the actual tenant and landlord. He urged that there was no case under the Act, but the magistrate held that there was a case to answer. Mrs. Saunders declared that after the rooms were taken Mrs. Haynes offered her a present, suggesting £5, and subsequently giving her £1. The magistrate fined the defendant £5, and ordered her to refund the £3 to the complainant.

Res Judicatæ.

Computation of Time in Divorce.

A point which seems rather obvious, but which, owing to the intricate character of High Court technicalities of practice where "time" is concerned, might conceivably have been decided the other way, came up before the President in *Blackwell v. Blackwell* (1920, W.N. 153). Here an order had been made on a husband directing him to resume cohabitation within fourteen days; the period included two Sundays. The question arose whether these Sundays were to be included in or excluded from the period of time limited for obedience; in other words, whether the defaulting husband became guilty of statutory desertion within the meaning of section 5 of the Matrimonial Causes Act, 1884, on the fifteenth or the seventeenth day after the dating of the decree. There is no rule of procedure quite relevant, but our readers will, of course, remember that under Order 64, rule 2, "where any limited time less than six days from or after any date or event is appointed or allowed for doing any act or taking any proceeding, Sunday, Christmas Day and Good Friday shall not be reckoned in the computation of such limited time." This implies that where the limited time exceeds six days, Sunday, Christmas Day and Good Friday are to be included within it; but the rule is hardly in point at all. For it refers to the time limited by the rules for taking proceedings in court, not to times limited by statute as conditions precedent to the acquisition or forfeiture of rights. But common sense seems to dictate the view which the Court actually took, namely that the period limited in the decree of restitution includes every Sunday within its duration as well as every week day. There is no special reason why a spouse should not return to cohabitation on a Sunday.

Negligence in Exercise of a Statutory Duty.

It is very trite law that the mere non-performance of a statutory duty does not vest in anyone injured thereby a right to damages unless in certain exceptional cases, e.g., when the non-observance amounts to a public nuisance causing special damage, or where the statutory duty is imposed in favour of a member of the particular class injured as distinct from the whole public at large, or where there has been some misfeasance in addition to the non-observance. The practical difficulty, here as in so many other spheres of legal activity, is to know how to apply this principle correctly in a concrete case. Hence every case illustrating the rule in a natural set of circumstances is always worth noting—even when its locale happens to be the "distressful country," Ireland. In *Bohan v. Clements* (1920, 2 I.R. 117), an interesting example is afforded of the principle and its application in practice. Here the defendants were the duly constituted trustees of drainage works carried out under the Drainage (Ireland) Act, 1842. The works consisted in clearing out, widening, and deepening the bed of a natural river which flowed through the plaintiff's lands. The defendants for some years did nothing whatever to maintain the works. The river silted up and became choked, with the consequence that water overflowed on the plaintiff's land and damaged his crops. Here there is non-observance, not misfeasance. But two out of the three exceptions mentioned above apply to the facts, and take them out of the general rule that there is no action by a member of the public at large against a defaulting statutory authority. Here the non-observance resulted in an obstruction of the river, which is a public nuisance, and the plaintiff suffered special damage thereby. Again, the duty was intended to benefit, not the public at large, but a special class consisting of the district landowners and occupiers of riverside premises; so that the duty created is one in favour of a limited class, and therefore enforceable in case of default, by an action in tort for damages.

Mandamus for Breach of a Statutory Duty.

We have just pointed out in the preceding paragraph that, normally, no member of the public at large can sue in tort for non-performance of a statutory duty. What, then, is his remedy? He can institute proceedings in mandamus for performance of the duty—in person, if he is an injured party, and through the Attorney-General on his relation, if he is only a member of the public at large, generally, but not specially, interested in the performance of the duty. The recent decision of Mr. Justice McCARDIE in *R. v. Marshland Smeeth and Fen District Commissioners* (1920, 1 K.B. 155), contains some interesting sidelights on the points which may arise in such proceedings by prerogative writ. Here, drainage commissioners with statutory powers to drain land in a district where the plaintiff was a landowner, had not performed their duty. He obtained a rule nisi for a writ of mandamus, and in due course a writ was finally issued commanding them to drain the district effectually. The defendant commissioners did not obey the writ, but filed a petition saying that they had done their best to drain the area. The plaintiff joined issue on this question of fact, and claimed damages against them for the injury resulting to him from the commissioners' disobedience. A whole series of points arise here. Can the respondents to a rule absolute for a mandamus make a return saying that they cannot obey it, i.e., contending, in effect, that it ought not to have been issued? Mr. Justice McCARDIE held that they can do so; but on the construction of the statute imposing the duty, he also held that the duty was an imperative one, so that inability to perform it was not a defence against a claim for damages by a party injured. Secondly,

can the injured applicant claim damages on the proceedings for mandamus, and ought he not rather to bring a separate common law action in his own name for damages, on the ground that he has suffered special damage from the public nuisance resulting from the commissioners' failure to perform their statutory duty? The learned judge again held that he can claim damages for the tort on his reply to the commissioners' return in the mandamus proceedings—a position which, at first sight, does seem rather startling. Lastly, the question arose as to the date from which the Public Authority's Protection Act, 1893, ran, for the plaintiff had moved for the rule nisi at a later period than six months from the commencement of the damage he suffered. Here, again, the learned judge held that the statutory protection did exist and that proceedings by mandamus, like an action must be brought within six months; but the non-cessance and the damage were continuing, so the limitation did not assist the defendants. Altogether, this case throws much interesting light on certain rare aspects of mandamus proceedings, novel to ourselves, and, we fancy, to most of our readers; so that we heartily commend it to them for perusal and consideration.

Reviews.

EXCESS PROFITS DUTY AND THE CASES DECIDED THEREON by R. J. SUTCLIFFE, Barrister-at-Law. Stevens & Sons, Ltd. 7s. 6d.

Excess Profits Duty, says Mr. Sutcliffe, has had one virtue which has endeared it to the heart of statesmen—it has been the source of large revenues. On the other hand, he adds, it has many vices. To the world at large its vices are the most prominent feature, and the feelings of the world at large will not probably react on statesmen, and secure the extinction of the duty. But meanwhile the many problems which arise in the assessment and collection of the duty in particular cases have to be faced, and although Munitions Exchequer Payments ceased to be assessed after 31st December 1916, and gave place to E.P.D., yet arrears remained and probably still remain, to be collected, and to those the Munitions Exchequer Payment Rules, 1917, apply. The series of enactments and rules relating to Munitions Exchequer Payments and E.P.D. constitute a body of law of no slight difficulty and complication, and in Mr. Sutcliffe's book they are very conveniently and usefully brought together, while his exposition of the subject forms a ready and illuminating introduction to it.

Books of the Week.

Company Law.—Company Law and Practice: An Alphabetical Guide thereto. By HERBERT W. JORDAN, Company Registration Agent. Fourth edition. Jordan & Sons, Ltd. 7s. 6d. net.

Company Law.—Company Principles and Precedents. A concise Summary of the Formation, Management, and Winding-up of Public and Private Companies, with a Selection of Forms and Precedents. By FRANCIS ERNEST BRADLEY, M.A., M.Com., LL.D., F.R.S.E., Barrister-at-law. Sweet & Maxwell. 17s. 6d. net.

Correspondence.

[To the Editor of the Solicitors' Journal and Weekly Reporter.]

Sir,—During the war the Authorities in their zeal for economy cut off the supply of pens for our use in the Law Courts and they have not restored it. Many times have I been caught and have had to beg the loan of a pen from one of the Officials or go across to the Law Society. Such parsimony is intolerable, and I invite your kind assistance in removing the grievance. If other measures fail, I suggest that a subscription be opened for the purchase of pens to be placed in the public rooms for our use.

GRAY'S INN.

29th December, 1920.

Mr. William Arthur Sharpe, of Broadlands-road, Highgate, N., head of Messrs. Sharpe, Pritchard and Co., solicitors, New-court, Carey-street, a member of the council of the Law Society in 1907, for several years chairman of the examining committee and president in 1919-20, who died on 4th September aged 72, has left property of the value of £37,819 gross and £33,286 net.

A "record" in Scottish divorce cases has been established during the year now closing. Before the war the average number of cases raised in Scottish Courts in a year was 250, but this year the total was 810, which is an increase of 34 over that of the preceding year. In only six cases was a decree of divorce refused. Of the successful suits, 452 were brought by husbands and 352 by wives.

It is stated that Field and Gray, the men who were sentenced to death at Lewes Assizes for the murder of Irene Munro, the London typist, at Eastbourne last August, have given notice that they intend to apply for leave to appeal. The application will probably be heard by the Court of Criminal Appeal late in January.

CASES OF LAST SITTINGS. House of Lords.

FIFE COAL CO., LTD. v. CANT. 3rd December.

EMPLOYER AND WORKMAN—INCAPACITY RESULTING FROM INJURY ARISING OUT OF AND IN THE COURSE OF EMPLOYMENT—REFUSAL TO UNDERGO SURGICAL OPERATION—WORKMEN'S COMPENSATION ACT, 1906 (6 Edw. 7, c. 58), Sched. I (1) (b).

Employers applied to the sheriff-substitute to terminate the weekly payment to an injured workman. They contended that the man's continued incapacity was due to his refusal to undergo one of two surgical operations. The man's refusal was based on the advice of his own medical man. The sheriff-substitute found that the employers had not proved that in the circumstances the man had acted unreasonably, and his decision in favour of the respondent was upheld on appeal by the Court of Session.

Held, that the employers' appeal failed, for in the opinion of their Lordships it was not unreasonable for an injured man to decide to take the advice of his own medical man rather than that of his employers' medical man.

Appeal by the employers from a judgment of the First Division of the Court of Session. The respondent was, in October, 1918, in the appellant company's employment as a miner, and while at work in one of their pits he sustained personal injuries through a stone falling from the roof and crushing the thumb of his right hand. He was totally incapacitated for a time, and was paid full compensation. Later on he started light work, and was paid compensation in respect of partial incapacity down to the 31st May, 1919. The appellants then sought to terminate the further payment of compensation, on the ground that the respondent's continued incapacity was due to unreasonable conduct on his part, consisting of a refusal to undergo one of two surgical operations. The respondent's refusal was in accordance with the advice of his own doctor, whose opinion was that the operation would not enable him to move his thumb, and that its amputation would be attended with danger. The sheriff-substitute at Dunfermline held that the appellants had failed to prove that the respondent's continued incapacity was due to his refusal to undergo a surgical operation, and the finding was upheld by the First Division of the Court of Session. Without calling on the respondent's counsel—

LORD BURKENHEAD, L.C., in moving that the appeal should be dismissed, said he could conceive circumstances in which there might be a nice balance in the mind of a sagacious man which advice he should accept when one set of doctors recommended one course and his own doctor recommended another. No doctrine could or ought to be laid down in such circumstances. He thought the arbitrator was justified in coming to the conclusion that the incapacity was not due to unreasonableness on the part of the man in refusing to undergo an operation on the advice of his own medical man.

LORDS FINLAY, DUNEDIN, ATKINSON and SHAW concurred.—COUNSEL for the appellants, *Condie Sandeman, K.C.*, and *W. H. Beveridge*; for the respondent, *Solicitor-General for Scotland (C. D. Murray, K.C.)*, and *Archibald Crawford*. AGENTS, *Beveridge & Co.* for *T. W. Craig, Glasgow*, and *Wallace & Begg, W. S. Edinburgh*; *Turner & Co.* for *A. C. Baird & Co., Glasgow*, and *W. & W. Finlay, W. S. Edinburgh*.

[Reported by ERKINE REID, Esq., Barrister-at-Law.]

High Court—Chancery Division.

Re RAWSON: RIGBY v. RAWSON. Eve, J. 25th November.

WILL—CONSTRUCTION—LEGATHE REPORTED MISSING OR KILLED—ACCUMULATION OF INTEREST—TERMINATION OF THE WAR—DATE OF TERMINATION.

A testator directed the interest on a legacy to his son who was reported missing to be accumulated "until six months after the declaration of peace terminating the present war or the expiration of twenty-one years from my death whichever shall be the shorter period."

Held, that the termination of the war meant the termination of the war with Germany, and not the war generally, and that the trust for accumulation had come to an end.

By his will the testator, who died in April, 1917, after bequeathing to his son a legacy of £10,000, directed his trustees to accumulate the interest on such legacy "until a period of six months after the declaration of peace terminating the present war, or the expiration of twenty-one years from my death, whichever shall be the shorter period." The testator's son was reported to be missing or killed at the battle of Loos, in September, 1915, and the question raised by this adjourned summons was whether the trust for accumulation had come to an end or did the fact that no general declaration of the termination of the war had been made require the retention of the legacy and the accumulation of the income until six months after such general declaration had been made and the termination of the war between this country and the last belligerent state.

EVE, J., in construing this will and arriving at what the testator meant by the expression "a period of six calendar months after the declaration of peace terminating the present war," regard must be had to the paramount consideration he had in his mind. In September, 1915, his son had been reported first as missing, and afterwards as killed at or shortly after the

battle of Loos. His body was never identified, he has never since been heard of, and a certificate has been issued in the ordinary form whereby he is treated as officially dead, and as having died on or subsequently to the 25th September, 1915. Eighteen months after his disappearance the testator made his will, and by paragraph 5, after reciting that his son "has been reported missing and subsequently killed in the present war" and that "I have some hope that he may yet be living" he bequeathed to his son, in case he should be living at my death, the sum of £10,000 free of all death duties, and after providing for the retention and setting aside of the legacy and the accumulation of the income, he directed that "such retention and accumulation shall be continued until a period of six months after the declaration of peace terminating the present war or the expiration of twenty-one years from my death, whichever shall be the shorter period." The question is now that the war under the provisions of s. 1 (3) of the Termination of the Present War (Definition) Act 1918 has been terminated with Germany for a period of more than six months, has the trust for accumulation come to an end, or does the fact that no general declaration of the termination of the war has been made under the Act require the retention of the legacy and the accumulation of the income until six months after such general declaration has been made, or after the termination of the war between His Majesty and the last belligerent state? By the Act, the date declared by His Majesty in Council as the date of the termination of the war is the date on which the war is to be treated as having ended for the purposes, except where the context otherwise requires, of any provision in, amongst other things, any instrument referring in whatever words to the present war. If this were the case of a contract, I think there might be some difficulty in holding that the context requires the expression "declaration of peace terminating the present war" to be read as referring to any other date than that fixed by Order in Council as the termination of the war generally, but in the circumstances in which this will was made, and having regard to the testator's knowledge, and to the eventuality for which he was expressly providing, as also to the fact that his son's military services were wholly confined to the Western Front, I think the conclusion is almost irresistible that he was considering only the state of war between this country and Germany, and that when he speaks of peace terminating the present war, he means the war between His Majesty and that country, and not the war generally. On the whole, though not without some hesitation, I think I ought to hold that the time has arrived when the trust for accumulation has come to an end and when the trustees can deal with the legacy on the footing that the legatee predeceased the testator.—COUNSEL, *Stirling*; *Whitmore Richards*; *J. H. Boraston*. SOLICITORS, *Corbould, Ripley & Co.*

[Reported by S. E. WILLIAMS, Barrister-at-Law.]

Re KORVINE'S TRUST. LEVASHOFF v. BLOCK.

Eve, J. 30th November.

DONATIO MORTIS CAUSA—DONOR A DOMICILED RUSSIAN—DELIVERY IN ENGLAND—CONFLICT OF LAWS—LEX SITUS—ENGLISH LAW.

A domiciled Russian subject, whilst resident in England, delivered money and jewellery to a third person to be given to the plaintiff in case of his death. On the next day he went into a nursing home and shortly afterwards died.

Held, that the case must be determined according to English law, and that there was a good *donatio mortis causa*.

On 27th February, 1919, Admiral Korvine, a domiciled Russian subject for the time being resident in England, in the presence of the defendant, and three other persons, paid a sum of £1,000 to the joint account of himself and the defendant, and instructed the defendant in case of his (the Admiral's) death to pay his debts and pay the balance to the plaintiff, who was then living in Switzerland. He further instructed him to pass to the plaintiff certain bonds in a Russian loan and certain gold articles and jewellery contained in a box in the custody of one of those present at the meeting on 27th February. On the next day Admiral Korvine went into a nursing home in London, for a serious illness, and died intestate on 9th April, 1919. A memorandum of the message of Admiral Korvine was signed on 18th June, 1919, by three of the four persons present when it was given. Admiral Korvine had frequently written to the plaintiff when she was in Switzerland, and had told her of his intention to give her the bonds and jewellery, with the view of providing for the plaintiff, in the event of his death. Admiral Korvine had a wife and three sons in Russia, but their present address was unknown. The balance of the £1,000 was lodged in Court, and the official solicitor was appointed to represent the estate of Admiral Korvine. The questions raised on this adjourned summons were (1) whether the gift was a good *donatio mortis causa* and (2) whether it should be construed according to the law of England or according to the law of the domicile of the donor.

Eve, J., held that on the facts there was a good *donatio mortis causa*, and that the rule in *Dacey's Conflict of Laws* (2nd Ed., p. 519, r. 143) applied. The case must be determined by the law of England, notwithstanding the foreign domicile of the donor.—COUNSEL, *Gover, K.C.*, and *Stokes*; *G. R. Northcote*; *H. T. Methold*. SOLICITORS, *Crosse & Sons*; *Lee & Pemberton*; *Official Solicitor*.

[Reported by S. E. WILLIAMS, Barrister-at-Law.]

Lord Cave's Commission, which is inquiring into the sum due to the British South Africa Company in respect of its administrative expenditure in Southern Rhodesia, will resume its sittings at the House of Lords on 10th January to hear the further argument on behalf of the Crown.

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BICENTENARY A.D. 1920.

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LAW COURTS BRANCH: 29 & 30, HIGH HOLBORN, W.C.1.

New Statutes.

On 23rd December the Royal Assent was given to the following Acts:—

Appropriation (No. 2) Act, 1920,
Isle of Man (Customs) Act, 1920,
Public Works Loans Act, 1920,
Women and Young Persons (Employment in Lead Processes) Act, 1920,
Married Women (Maintenance) Act, 1920,
Married Women's Property (Scotland) Act, 1920,
Employment of Women, Young Persons and Children Act, 1920,
Criminal Injuries (Ireland) Act, 1920,
Government of Ireland Act, 1920,
Juvenile Courts (Metropolis) Act, 1920,
Registrar General (Scotland) Act, 1920,
Gold and Silver (Export Control, &c.) Act, 1920,
Housing (Scotland) Act, 1920,
Roads Act, 1920,
Expiring Laws Continuance Act, 1920,
British Empire Exhibition (Guarantee) Act, 1920,
Official Secrets Act, 1920,
Agriculture Act, 1920,
Dyestuffs (Import Regulation) Act, 1920,
Juries (Emergency Provisions) Act, 1920,
Defence of the Realm (Acquisition of Land) Act, 1920,
Air Navigation Act, 1920,
Administration of Justice Act, 1920,
Unemployment Insurance (Temporary Provisions Amendment) Act, 1920,

and to several Provisional Orders and local and private Acts.

New Orders, &c.

Supreme Court, England.

PROCEDURE.

THE RULES OF THE SUPREME COURT (POOR PERSONS), 1920. DATED DECEMBER 10, 1920.

We, the Rule Committee of the Supreme Court, hereby make the following Rules:—

ORDER XVI.

1. Part IV. (Rules 22 to 31 (I), both inclusive, of Order XVI of the Rules of the Supreme Court, 1883, as amended by the Rules of the Supreme Court (Poor Persons), 1914, the Rules of the Supreme Court, June, 1915, and the Rules of the Supreme Court (Poor Persons), 1916, is hereby revoked and the following Rules shall stand in lieu thereof, viz.:—

IV.—PROCEEDINGS BY AND AGAINST POOR PERSONS.

22. *Suing or defending as poor person*.—Any person may be admitted to take or defend or be a party to any legal proceedings in the High Court of Justice as a poor person on satisfying the Court or a Judge that he has reasonable grounds for taking or defending or being a party to such proceedings, and that—

(1) the applicant is not (or in matrimonial causes where the wife is the applicant, the applicant and her husband are not) worth a sum exceeding fifty pounds (excluding wearing apparel, tools of trade and the subject matter of such proceedings) or such larger sum not exceeding one hundred pounds as a Judge personally in special circumstances may direct;

(2) the usual income from all sources of the applicant (or in matrimonial causes where the wife is the applicant, of the applicant and her husband) does not exceed two pounds a week or such larger sum not exceeding four pounds a week as a Judge personally in special circumstances may direct.

This Rule shall not apply to any bankruptcy proceeding or matter or to any criminal cause or matter except :—

- (a) applications to the Court to order a Justice or Justices to state a case under the Summary Jurisdiction Acts,
- (b) the hearing of cases stated under such Acts, and
- (c) applications for certiorari, mandamus, or prohibition directed to a Court of Summary Jurisdiction.

23. An applicant in a matrimonial cause shall pay into Court, after the application has been examined by the prescribed officer and before it is referred for inquiry and report to a solicitor or counsel, in nullity cases involving medical examination fifteen pounds, and in other cases five pounds, and if such deposit shall in the course of the case be found insufficient such further sum as may be directed by the prescribed officer. The sum so deposited shall be utilised for the payment of any necessary expenses of the case.

Any amount remaining over after all expenses properly incurred have been paid shall be repaid to the applicant.

Such deposits may be forfeited by order of a Judge upon proof that the applicant has understated his means.

24. The prescribed officers in London shall keep lists :

- (1) of solicitors and of counsel willing to be assigned to inquire into and report upon the application of any person to take or defend or be a party to any legal proceedings as a poor person ;
- (2) of solicitors and of counsel willing to be assigned to assist poor persons, when admitted, in the conduct of the proceedings.

It shall be the duty of such prescribed officers in London to furnish to each prescribed officer in the District Registries, on application, lists of all such solicitors and counsel willing to act within their respective districts. Solicitors and counsel willing to be so assigned may send their names either to the prescribed officers in London or to the prescribed officers in the District Registries.

25. A person desirous of being so admitted as a poor person shall make an application in the form set forth in the Appendix hereto (which may be cited as Form No. 1 J of Appendix K to the Rules of the Supreme Court, 1883) stating his means and the names of the parties or of any proposed parties to such proceedings and the nature of the applicant's case, and giving the names and addresses of two persons to whom reference can be made.

Such application shall be made :—

- (a) in matters proceeding or intended to proceed in London to the prescribed officer in London ;
- (d) in matters proceeding or intended to proceed in a District Registry to the District Registrar.

26. The application shall be referred for inquiry to one or more solicitors or counsel willing to act in the matter, whether named in the list to be kept pursuant to Rule 24 (1) or not, who shall report to the Court through the prescribed officer whether and upon what terms the applicant ought to be admitted as a poor person. For the purpose of their report the reporters may make such enquiries as they think fit as to the means and the position of the applicant and as to the merits of the case, and may require the attendance of the applicant, and shall, where possible, personally see the applicant, and may hear any other person, and may require facts to be proved by affidavit or statutory declaration, and in making their report they shall have regard to the probable cost of the litigation in relation to the matter in dispute, and shall state that they have personally interviewed the applicant or shall give their reasons for not having done so. The report and any documents or information obtained for the purposes of the report shall be treated as confidential and shall not be shown or disclosed to the parties or either of them, nor (except to such extent and upon such conditions as may be directed by the prescribed officer) shall such report or any of the said documents or information be shown or disclosed to any counsel or any solicitor for either of the parties. In matrimonial causes the report shall be open to inspection by the King's Proctor.

27. In matrimonial causes the applicant shall be required by the reporter to swear an affidavit in accordance with form No. 1 J (1), being the second form set forth in the Appendix hereto (which may be cited as Form No. 1 J (1) of Appendix K to the Rules of the Supreme Court, 1883).

Form No. 1 J (1) shall be forwarded to the reporter by the prescribed officer when sending the papers to him for report. The reporter shall have power to administer the oath for this purpose and no fee shall be charged for taking such oath.

28. Upon the production of the report mentioned in Rule 26 the Court or Judge may in their or his discretion, and upon such terms, if any, as the Court or Judge may think fit, make an order admitting the applicant to take or defend or to be a party to legal proceedings as a poor person, and the prescribed officer shall assign to the applicant a solicitor and counsel willing to act in the matter (whether named in the list kept pursuant to Rule 24 (2) or not) to assist him in the conduct of the proceedings. The prescribed officer may also assign to the applicant a solicitor or solicitors in London or elsewhere willing to act as agent for or to assist the first-named solicitor and he may also assign additional counsel who may be willing to assist the poor person. No solicitor or counsel who shall have reported on the case

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shall be so assigned, nor shall any co-partner or clerk or employer of a solicitor who shall have so reported be so assigned. No such solicitor or counsel and no such co-partner or clerk or employer shall act for any other party to the litigation.

29. No person who is outside the jurisdiction of the court shall be admitted to take or defend or be a party to any legal proceedings as a poor person without the direction of a Judge in person.

30. The Court or a Judge in considering whether a person shall be admitted as a poor person under these Rules shall have regard to such statutory provisions as confer on inferior Courts concurrent jurisdiction with the High Court and especially to the provisions of section 1 and section 2 of the County Courts Act, 1919. [9 & 10 Geo. 5, c. 73.]

31. The Court or a Judge may at any time (and whether or not any application be made by any person for such purpose) discharge any order made under these Rules whereby a person has been admitted to take or defend or be a party to any legal proceedings as a poor person.

31A. There shall be no appeal against an order refusing to admit a person to take or defend or be a party to any legal proceedings as a poor person without leave of the Court or a Judge.

31B. (1) No person admitted to take or defend or be a party to any legal proceedings as a poor person, nor any solicitor or counsel assigned to such poor person under these Rules shall discontinue, settle, or compromise such proceedings without the leave of the Court or a Judge.

(2) It shall not be lawful for any person admitted to take or defend or be a party to any legal proceedings as a poor person to discharge any solicitor or counsel assigned under Rule 28 without leave of the Court or a Judge.

(3) A solicitor or counsel assigned under Rule 28 shall not be at liberty to discontinue his assistance unless he satisfies the prescribed officer or the Court or a Judge that he has some reasonable ground for so discontinuing.

31C. Every solicitor assigned under Rule 28 (hereinafter referred to as the conducting solicitor) shall send a report annually to the prescribed officer in the prescribed form showing the progress and result of all cases assigned to him for conduct.

31D. Should the conducting solicitor discover at any time that the applicant (or in matrimonial causes where the wife is the applicant that the applicant or her husband) is possessed of means beyond those disclosed to the reporter he shall report the matter at once to the prescribed officer.

31E. When a person is applying or is admitted to take or defend or be a party to any legal proceedings as a poor person he shall not be liable for any court fees nor, unless the Court or a Judge shall otherwise order, to pay costs to any other party, and except as provided by the Rules of this Order, no person shall take or agree to take or seek to obtain any payment, fee, profit or reward, either for inquiry or report or for the conduct of the proceedings, or for out-of-pocket expenses, and any person so doing shall be guilty of a contempt of court.

If any such payment, fee, profit or reward shall be made, given or promised, the application or admission, as the case may be, may be dismissed or struck out, in which case the poor person shall not afterwards be admitted into the same case or any proceedings as a poor person unless otherwise ordered.

Should any out-of-pocket expenses be incurred by a reporter or conducting solicitor he shall send a written statement to the prescribed officer showing the amount of expenses and the purposes for which they have been incurred, and upon receipt of such statement the prescribed officer shall in matrimonial causes instruct the Paymaster-General to pay to the solicitor, from the amount deposited by the applicant under Rule 23, such sum as the prescribed officer shall consider just, and in other cases shall in writing request the applicant to pay into Court such sum as that officer shall consider just for payment over to the reporter or conducting solicitor, as the case may be.

When determining the amount to be considered just under this Rule the prescribed officer shall have regard to the following provisions :—

- (a) no fee shall be allowed to the reporter for the report ;
- (b) the conducting solicitor shall not be entitled to any payment on account of his office expenses (including charges for stationery or copying done in his office).

THE MIDDLESEX HOSPITAL.

WHEN CALLED UPON TO ADVISE AS TO LEGACIES, PLEASE DO NOT
FORGET THE CLAIMS OF THE MIDDLESEX HOSPITAL,
WHICH IS URGENTLY IN NEED OF FUNDS FOR ITS HUMANE WORK.

31r. In matrimonial causes every petition or answer shall be drawn by a barrister and signed by him, and proofs of the witnesses shall be furnished to him with the instruction to draw the petition or answer.

31g. Costs ordered to be paid to a poor person shall, unless the Court or a Judge shall otherwise order, be taxed having regard to Rule 31e, but in the event of the Court or a Judge certifying that the person ordered to pay such costs has acted unreasonably in prosecuting or defending or opposing the proceedings such costs shall include profit costs and charges, but shall not include any fees to counsel.

31h. The Court or a Judge may order to be paid to the conducting solicitor out of any money recovered by the poor person, or may charge in favour of the conducting solicitor upon any real or personal property recovered by a poor person such sum in respect of costs (not including fees of counsel) as would have been allowed to the solicitor on taxation between himself and his client if he had been retained by his client in the ordinary manner (less such amount as may be recovered from any other party) or such other sum in respect of costs as to the Court or Judge may seem fit, provided that the total amount so to be paid out for profit costs or so charged upon the said property for profit costs shall not in either case exceed one-fourth of the amount or value recovered and remaining after the deduction therefrom of all proper disbursements made by the solicitor.

31i. Every notice of motion, summons or petition on behalf of a poor person (except an application for admission to take or defend or be a party to legal proceedings or for the discharge of his solicitor) shall be signed by his solicitor, and it shall be the duty of such solicitor to take care that no application be made without reasonable cause.

31j. There shall be no appeal as a poor person to the Court of Appeal by anyone admitted to take or defend or be a party to any legal proceedings under these rules without leave of the Court or of the Judge before whom the matter is heard or of the Court of Appeal.

31k. If any person who has not taken, defended or been a party to any legal proceedings as a poor person in the High Court shall desire to be admitted on an appeal to the Court of Appeal as a poor person the like procedure shall be followed as is provided by these Rules for the High Court and the application shall be referred by the prescribed officer of the division of the High Court from which the appeal is brought for inquiry, as if it were an application made in that Division, and upon production of the report the Court of Appeal may in their discretion make an order admitting the applicant to be a party to such appeal as a poor person.

Any party to proceedings in a Court other than the High Court from which an appeal lies direct to the Court of Appeal who desires to be so admitted shall make an application for that purpose under these rules to the prescribed officer on the Crown side except in the case of an appeal from the Court of Chancery of the County Palatine of Lancaster or from the Court of Chancery of the County Palatine of Durham and Sadberge the application in which shall be made to the prescribed officer in the Chancery Division.

The said application shall be referred and decided in the same manner as an application in an appeal from the High Court.

31l. The prescribed officers shall be (1) in the Chancery Division such one or more of the Masters as the Lord Chancellor shall from time to time nominate for the purpose; (2) in the King's Bench Division (excepting on the Crown side) such one or more of the Masters as the Lord Chief Justice shall from time to time nominate for the purpose; and on the Crown side the Master of the Crown Office for the time being; (3) in the Probate, Divorce and Admiralty Division such one or more of the Registrars as the President shall from time to time nominate for the purpose; and (4) in a District Registry the District Registrar.

In the case of temporary absence or indisposition the prescribed officer may appoint a deputy with the sanction of the Lord Chancellor.

31m. Nothing in these Rules shall operate as a stay of any proceedings unless so ordered by the Court or Judge or Court of Appeal.

31n. The rules of Order XVI numbered 22 to 31m shall apply to:—(a) proceedings for divorce or other matrimonial causes, and (b) proceedings on the Crown side of the King's Bench Division.

2. These Rules may be cited as the Rules of the Supreme Court (Poor Persons), 1920, or may be cited by the heading and number thereof with reference to the Rules of the Supreme Court, 1883. They shall come into operation on the 1st day of January, 1921.

Dated the 10th day of December, 1920.

Birkenhead, C.

Reading, C.J.

Sterndale, M.R.

Henry E. Duke, P.

R. M. Bray, J.

A. T. Lawrence, J.

Charles H. Sargent, J.

P. Ogden Lawrence, J.

T. R. Hughes.

E. W. Hansell.

C. H. Morton.

Roger Gregory.

[The forms we must hold over till next week]

THE RULES OF THE SUPREME COURT (POOR PERSONS PENDING CASES), 1920.

We, the Rule Committee of the Supreme Court, propose to make the following Rules:—

1. These Rules may be cited as the Rules of the Supreme Court (Poor Persons Pending Cases), 1920, and shall apply to applications and cases under the Rules of the Supreme Court (Poor Persons), 1914-16, pending on the 1st day of January, 1921 (hereinafter called the appointed day).

2. All cases in which an assignment for conduct has been made prior to the appointed day shall proceed under the Rules of the Supreme Court (Poor Persons), 1914-16, which shall continue to be applicable to such cases notwithstanding the revocation thereof.

3. All cases in which the application has been referred for inquiry before the appointed day but in which no assignment for conduct has been made before that day shall proceed under the Rules of the Supreme Court (Poor Persons), 1914-16, up to assignment for conduct and thereafter shall proceed under the Rules of the Supreme Court (Poor Persons), 1920.

4. All cases in which the application has been made before the appointed day but in which no reference for inquiry has been made before that day shall after that day proceed under the Rules of the Supreme Court (Poor Persons), 1920.

5. In matrimonial causes falling under Rules 3 and 4 applicants or poor persons may be required to pay into Court the sum or sums specified in Rule 23 of the Rules of the Supreme Court (Poor Persons), 1920, as a condition of being admitted to take or defend or be a party to legal proceedings or of having the application referred for inquiry as the case may be. If in any such case no deposit shall be required to be made the procedure as to the out-of-pocket expenses of the conducting solicitor prescribed in Rule 31k in the case of causes other than matrimonial causes shall be followed.

And we, the said Rule Committee, hereby certify that on account of urgency these Rules should come into operation on the 1st day of January, 1921, and we hereby make the said Rules to come into operation on that day as Provisional Rules.

Dated the 10th day of December, 1920.

County Court, England.

PROCEDURE.

THE COUNTY COURT (WOMEN JURORS) RULES, 1920. DATED DECEMBER 11, 1920.

1. These Rules may be cited as the County Court (Women Jurors) Rules, 1920, or each Rule may be cited as if it had been in the County Court Rules, 1903, and had been numbered therein by the number of the Order and Rule placed in the margin opposite such Rule.

An Order and Rule referred to by number in these Rules, means the Order and Rule so numbered in the County Court Rules, 1903.

These Rules shall be read and construed as if they were contained in the County Court Rules, 1903.

2. Order XXII., Rule 4. *Number of Jurors to be summoned.*—Order XXII., Rule 4, is hereby annulled and the following Rule shall stand in lieu thereof, viz.:—

The number of jurors summoned to attend at a Court for the trial of actions shall be sixteen, unless the judge otherwise orders.

THE HOSPITAL FOR SICK CHILDREN,

GREAT ORMOND STREET, LONDON W.C.1.

ENGLAND'S GREATEST ASSET IS HER CHILDREN.

THE need for greater effort to counterbalance the drain of War upon the manhood of the Nation, by saving infant life for the future welfare of the British Empire, compels the Committee of The Hospital for Sick Children, Great Ormond Street, London, W.C.1, to plead most earnestly for increased support for the National work this Hospital is performing in the preservation of child life.

The children of the Nation can truthfully be said to be the greatest asset the Kingdom possesses, yet the mortality among babies is still appalling.

FOR 68 years this Hospital has been the means of saving or restoring the lives and health of hundreds of thousands of Children, and of instructing Mothers in the knowledge of looking after their children.

£15,000 has to be raised every year to keep the Hospital out of debt.

Forms of Gift by Will to this Hospital can be obtained on application to—

JAMES McKAY, Acting Secretary.

3. *Order XXII., Rule 4a. Persons to be summoned.*—The following Rule shall stand as *Order XXII., Rule 4a, viz.* :—

All persons qualified and liable to serve as jurors shall be summoned to serve on juries without distinction of sex but otherwise as heretofore, provided that a husband and wife shall not both be summoned to serve on the same occasion.

4. *Order XXII., Rule 4b. Proportion of men and women to be summoned.*—The following Rule shall stand as *Order XXII., Rule 4b, viz.* :—

The number of women summoned to attend a Court to serve as jurors shall be in the same proportion, as near as may be, to the number of men so summoned as the total number of women is to the total number of men in the list of jurors from which the persons summoned are taken.

5. *Order XXII., Rule 4c. Applications for exemption from attendance for medical reasons.* *Form 144c.*—The following Rule shall stand as *Order XXII., Rule 4c, viz.* :—

Upon every jury summons served upon a woman there shall appear a notice that she may apply to the Registrar for exemption from attendance as a juror on account of pregnancy or other feminine condition or ailment provided that such application is received by the Registrar within two days of the receipt of the jury summons by the applicant.

6. *Order XXII., Rule 4d. Exemption from attendance for medical reasons.*—The following Rule shall stand as *Order XXII., Rule 4d, viz.* :—

The Registrar may in his discretion exempt from attendance any woman who has been summoned to serve as a juror if he is satisfied by medical certificate or otherwise that on account of pregnancy or some other feminine condition or ailment she is, or will be, unfit to serve.

7. *Order XXII., Rule 4e. Applications that the jury may be composed of men only or of women only.*—The following Rule shall stand as *Order XXII., Rule 4e, viz.* :—

An application under Section 1 (b) of the Sex Disqualification (Removal) Act, 1919, that the jury shall be composed of men only or of women only shall be made to the Judge upon notice to be served not less than two clear days before the hearing of the application; or if such application by notice is not practicable, application may be made to the Judge on the return day, and may be granted by him subject to such conditions as the Judge may see fit to impose.

8. *Form 144c.* 9 & 10 Geo. 5, c. 71, s. 1 and 51 & 52 Vict. c. 43, s. 102. *Order XXII., Rules 1, 4a, 4b, 4c, 4d. Order XLIV., Rule 4. Order LI., Rule 24.*—The following Form shall stand as Form 144c as if it were contained in Part I of the Appendix to the County Court Rules, 1903 :—

144c.—SUMMONS TO WOMAN JUROR.

In the County of _____ holden at _____

You are hereby summoned to attend and serve as a juror in this Court at the Court House situate at _____ on _____ day, the _____ day of _____, 19____, at the hour of _____ in the _____ noon, upon the trial of any action or actions to be tried by jury, and, unless and until discharged by the court, on any subsequent day to which the trial of any such action may be adjourned.

In default of attendance you will be liable to a penalty of five pounds under Section 102 of the County Courts Act, 1888.

Given under the seal of the court, this _____ day of _____, 19____.

Registrar.

Take notice that you may apply to the Registrar of this court for exemption from attendance as a juror on account of pregnancy or other feminine condition or ailment provided that such application is received by the Registrar within two days of the receipt of this jury summons by you.

We, the undersigned persons appointed by the Lord Chancellor pursuant to section one hundred and sixty-four of the County Courts Act, 1888 [51 & 52 Vict. c. 43], and section twenty-four of the County Courts Act, 1919 [9 & 10 Geo. 5, c. 73], to frame Rules and Orders for regulating the practice of the Courts and forms of proceedings therein, having by virtue of the powers vested in us in this behalf framed the foregoing Rules, do hereby certify the same under our hands and submit them to the Lord Chancellor accordingly.

Walworth H. Roberts.
T. C. Granger.
Edward Bray.
W. M. Cann.

J. W. McCarthy.
H. M. Given.
Arthur L. Lowe.
A. H. Coley.

Approved by the Rules Committee of the Supreme Court.

Claud Schuster,
Secretary.

I allow these Rules, which shall come into force on the 1st day of January, 1921.

Birkenhead, C.

The 11th day of December, 1920.

Ministry of Food Orders.

THE HOPS (PROHIBITION OF IMPORT) ORDER, 1920.

1. Except under the authority of the Food Controller the importation of any hops into the United Kingdom is hereby prohibited, and the provisions of the Customs Consolidation Act, 1876, and the enactments amending the same relating to the importation of prohibited goods apply to the importation of hops accordingly.

EQUITY AND LAW

LIFE ASSURANCE SOCIETY,

18, LINCOLN'S INN FIELDS, LONDON, W.C.2.

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2. The Hops (Restriction on Delivery) Order, 1920 [S.R. & O., 1920, No. 819], is hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof.

3. (a) This Order may be cited as the Hops (Prohibition of Import) Order, 1920.

(b) This order shall come into force on the 28th December, 1920.
11th December.

Excess Rent Claim.

AN important decision under the Restriction of Rent Act, says the *Evening Standard*, was given on 22nd December at Marylebone County Court by Judge Walworth H. Roberts in a case of the Norwich Union Insurance Co. in respect to a quarter's rent for premises at Ashworthmans, Maida Vale.

The judge said that the point he had to consider was as to what extent and for what period were sums paid in excess recoverable. Defendant had pleaded the provisions of the Increase of Rent and Mortgage Act, 1920, and it was not disputed that certain payments had been made in excess of the suggested rent.

In a case of *Wigg v. Morgan*, which he had previously decided, he held that plaintiff was entitled to deduct all the over-payments under the 1920 Act, and also six months back from March of that year, under section 5 of the Courts Emergency Powers Act. In the present case Mr. Beresford argued against that decision, and argued that it was obvious that the Act of 1920, read in conjunction with the Courts Emergency Powers Act, contemplated first that there must be some form of claim in respect to the overpaid rent; and, secondly, that the claim must be made within six months of the over-payment. It seemed to him (the judge) that in this particular case, no claim having been formulated by the tenant prior to the period of the passing of the Act of 1920, he must leave it exactly in the same position.

The result, in his opinion, therefore, would be that the tenant was entitled to a set-off for 15 guineas against the claim for the quarter's rent for the period of the increase which had been paid since the passing of the 1920 Act.

The County Court Staff Committee's Report.

The following are the recommendations of the Committee with regard to the Clerks and Bailiffs :—

1. All whole-time clerks and bailiffs employed by Registrars and/or High Bailiffs in the Public Service at the County Courts should have the status and advantages of established Civil Servants. The rate of pay of each clerk or bailiff, or class of clerks or bailiffs, should be fixed by your Lordship with the approval of the Treasury. Difficulties may arise in the case of clerks employed by Registrars who do not accept the scheme above set out by us as to their remuneration, but such difficulties will be of a temporary nature and can be dealt with according to their special circumstances.

2. All whole-time clerks and bailiffs should be entitled to retire at 60 years of age, and should retire at the age of 65, and should receive a pensions similar to that granted to Civil Servants by the Act of 1909.

3. Every whole-time clerk and bailiff in the service of a Court at the time our recommendations come into effect should receive a certificate from the Civil Service Commissioners if they are satisfied that the character of such clerk or bailiff is good, and that he is competent to discharge the duties upon which he has hitherto been employed. To each clerk or bailiff to whom such a certificate is given, there should be made an allowance of years towards pension in respect of the years which he has passed in the County Court service.

4. Where the work of the Court is not such as to require the services of one or more whole-time clerks, part-time clerks should, in respect of the work performed by them in the County Court service, be paid out of monies provided by the Treasury according to the volume of such work.

5. The Clerks' Association contended that the distinction between the "over-6,000" Courts and the "under-6,000" Courts should be abolished, and in support of this contention they called our attention to the following:

(a) That in October, 1900, the then Secretary to the Lord Chancellor wrote that "the distinction between 6,000 plaintiffs Courts and others is merely accidental, being designed for the purpose only of limiting the Registrars' salaries, and not depending on the character and importance of the work".

(b) That a Departmental Committee reported that "any distinction between the clerks in the 'over-6,000 plaintiffs' Courts and the clerks in the 'under-6,000 plaintiffs' Courts would be unjust."

(c) That the Royal Commission which sat in 1915 recommended, *inter alia*, "that the clerks in the under-6,000 plaintiffs Courts should be paid a salary quite apart from the Registrar."

The Committee agree that the distinction is useless. As reported above, we think it should be abolished—as it will be, if our recommendations are adopted.

6. The amount of clerical assistance required by the Registrar to enable him to carry on the work of the Court with efficiency is a matter of some difficulty. It depends, of course, on the volume and nature of the business of the Court. We have come to the conclusion that this can best be measured by a system of units. In arriving at what is a fair system, we have had the advantage of having put before us, in addition to the views of the Registrars and the clerks, the considered opinion of all the Examiners of Accounts in the County Courts Department of the Treasury. The system set out in Appendix G is, in our opinion, fair and reasonable. The Treasury Examiners have also been good enough to supply us with a graded scale of units (up to 20,000 units) and of the number of clerks which the Registrar would require. We think this is right, and set it out in Appendix H.

Obituary.

Judge Frederic Mackarness.

The death has occurred in London of His Honour Judge **FREDERIC COLERIDGE MACKARNES**, County Court Judge for Sussex since 1911.

Born in 1854, son of the Right Rev. J. F. Mackarness, Bishop of Oxford, he was, says *The Times*, educated at Marlborough and Keble, and was called to the Bar by the Middle Temple in 1879. He practised as an advocate of the Cape Supreme Court for some years, was made Recorder of Newbury in 1894, and was Professor of Roman-Dutch Law at University College, London, 1905-6. From 1906 to 1910 Mr. Mackarness was M.P. (Liberal) for the Newbury Division of Berkshire. While in Parliament he took up the cause of Chinese labour in South Africa and of the natives of India and their civil rights. In 1910 he published, as chairman of the executive of the India Civil Rights Committee, a pamphlet entitled "Methods of the Indian Police in the 20th Century," in which he quoted extracts from official reports to show that untried prisoners were tortured by the police in order to extort evidence. This pamphlet was suppressed by the Provincial Governments in India, and brought upon its author the wrath of Mr. Montagu. From the correspondence in *The Times* of July and August, 1910, Mr. Mackarness appears as a controversialist of marked ability. In 1911 he was given the County Court Judgeship.

Mr. Mackarness married Amy, daughter of the Rev. Richard Chernaide, who died in 1916.

Sir Horatio Lloyd.

Sir **HORATIO LLOYD**, Recorder of Chester, Chairman of Chester Quarter Sessions, and formerly County Court Judge for Chester and North Wales, died at Stanley Place, Chester, on 24th December at the age of 91.

The eldest son of Mr. Edward Watson Lloyd, Prothonotary and Clerk of the Crown for the Chester and North Wales Circuit, he was educated privately and at Rossall, and became a student of the Middle Temple in 1849, and was called to the Bar in 1852. In 1866 he was appointed Recorder of Chester, and, having held the office up to his death, a period of 54 years, was probably the senior Recorder. He was a County Court Judge from 1874 until 1906. He was knighted in 1890. He leaves two sons—Mr. E. Honoratus Lloyd, K.C., and Mr. Trevor Lloyd, the latter of the Chester and North Wales Bar.

VALUATIONS FOR INSURANCE.—It is very essential that all Policy Holders should have a detailed valuation of their effects. Property is generally very inadequately insured, and in case of loss insurers suffer accordingly. **DEBENHAM, STORR & SONS (LIMITED)**, 26, King Street, Covent Garden, W.C.2, the well-known valuers and chattel auctioneers (established over 100 years), have a staff of expert valuers, and will be glad to advise those desiring valuations for any purpose. Jewels, plate, furs, furniture, works of art, bric-à-brac a speciality.—ADVT.]

Legal News.

Appointments.

Mr. **WALTER HEDLEY** has been appointed to be Recorder of Richmond, Yorkshire, in the place of the late Mr. Richard Luck. Mr. HEDLEY was called at the Inner Temple in 1904, and belongs to the North-Eastern Circuit.

Dr. **R. L. GUTHRIE**, O.B.E., barrister-at-law, has been appointed coroner for the Eastern District of the County of London, in succession to the late W. E. Baxter, and will take up his duties on 1st January. Dr. GUTHRIE was deputy coroner in N.E. London for some years up to 1914, when he took a commission in the R.A.M.C. He served for nearly five years in France and at home, retiring with the rank of lieutenant-colonel.

General.

The subject for the Yorke Prize for 1922 is "The History of the English Law of Fixtures," the subject to be treated not only from the standpoint of English law, but also from that of comparative law. Candidates must be graduates of the University who are not of more than seven years' standing from admission to their first degree on 1st December 1922, except in the case of men who have been engaged in work connected with the late war. The value of the prize is about £115.

The effect of the recent decision by Mr. Justice Greer in *Dey v. Mayo* that money paid for bets by cheque is recoverable up to the Statute of Limitations by or on behalf of the person paying, was discussed on 21st December at an informal conference of those interested at the Victoria Club, Wellington, street, when it was decided to raise a national defence fund in case the House of Lords upheld the High Court decision. At a meeting at the Hotel Cecil in the evening £2,000 was raised.

The London Sessions were held for the last time at the Clerkenwell Sessions House on 23rd December. The next sessions will be held in the new courts at Newington Causeway. The Chairman (Sir Robert Wallace, K.C.), said he was anxious that his last decision in the Clerkenwell Court should be tempered with mercy, and he bound over the three prisoners in the concluding case, who were charged with stealing and receiving. At the close of the proceedings a photograph was taken of the court, with the chairman, barristers and officials sitting in their places.

When an ejectment summons, says *The Times*, was being heard at Old-street Police Court on 22nd December, a witness stated that the defendant, a woman, was living with a man not her husband. The Magistrate (to the applicant's solicitor): Do you say that the landlord has to dictate to the tenants as to their moral behaviour? The solicitor said immorality was going on, and there was annoyance to neighbours. The Magistrate: If it is suggested that she is keeping a brothel, it is a different case. The solicitor said there was not that suggestion. The Magistrate: I do not know what we are coming to in this country. Surely the State, the landlord, or anyone else has no right to interfere with private relationships. There is an enormous number of men and women in East London living together unmarried, and living quite happily. The mere fact that they have not been through the ceremony of marriage, or cannot go through it, does not constitute a nuisance.

At the rising of the Courts for the Christmas Vacation, the arrears in the Divorce Division were, says *The Times*, worse than ever. When the sittings opened there were 746 "remanets" from the Trinity term—678 undefended cases and 68 defended. The total number of undefended suits which now remain undisposed of is 1,181 and 208 defended cases have not been tried. With the services of three Judges the list with which the Michaelmas sittings opened—2,628 cases—has not been reduced by half. Only 1,239 causes have been tried, leaving 1,389 for next term.

At the Glasgow High Court on 22nd December, Lord Mackenzie said the circuit just concluded was unique in his 40 years' experience. There was not one case of dishonesty, the calendar being composed of two murder and one attempted murder charges, and 10 cases of an unsavoury character. It was to be regretted that these crimes against women and children, the defenceless section of the community, should continue in the cities and in the country. He thought that the question of better protection for women and children should receive the earnest consideration of all persons who charged themselves with philanthropic duties.

Winding-up Notices.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

London Gazette.—FRIDAY, DEC. 17.

WILNER & CO. LTD.—Creditors are required, on or before Jan. 17, to send their names and addresses, and the particulars of their debts and claims, to Frederick White, 2, Station-st., Huddersfield, liquidator.

THE QUEEN'S STREET WAREHOUSE CO. LTD.—Creditors are required, on or before Jan. 31, to send their names and addresses, and the particulars of their debts or claims, to Mr. Herbert S. Whitfield, 17, East Parade, Leeds, liquidator.

CYRINE SHIPPING CO. LTD.—Creditors are required, on or before Jan. 10, to send their names and addresses, and particulars of their debts or claims, to William Coupland, 17, Sandhill, Newcastle-upon-Tyne, liquidator.

THE ALBION BREWERY CO. LTD.—Creditors are required, on or before Jan. 31, to send their names and addresses, and the particulars of their debts or claims, to William Henry Parry, liquidator, c/o W. Stephen France, 4, King-st., Wigan.

PAYMENT METALLIC MANUFACTURING CO.—Creditors are required, on or before Jan. 11, to send their names and addresses, with particulars of their debts or claims, to John Robert Dickie, and Alexander John Kennedy Scott, 37, Moorfields, Liverpool, liquidators.

JACKSON & STEPHENS LTD.—Creditors are required, on or before Jan. 8, to send in their names and addresses, with particulars of their debts or claims, to Frederick William Carter, Victoria-church, Stoke-on-Trent, liquidator.

WALKER COAL CO. LTD.—Creditors are required, on or before Dec. 31, to send in their names and addresses, with particulars of their debts or claims, to Albert Percy Spence, 10, Royal arcade, Newcastle-upon-Tyne, liquidator.

ALBANY LAND CORPORATION LTD.—Creditors are required, on or before Jan. 21, to send their names and addresses, and the particulars of their debts or claims, to William Frederick Garland, 6, Queen Street-pl., E.C., liquidator.

THE WEST HAY BRIDPORT LAND AND BUILDING CO. LTD.—Creditors are required, on or before Jan. 15, to send their names and addresses, and the particulars of their debts or claims, to Charles George Nantes, 36, East-st., Bridport, liquidator.

WILLIAM HARDING & CO. LTD.—Creditors are required, on or before Jan. 21, to send their names and addresses, and the particulars of their debts or claims, to Robert Edwin Smalley, 9, Chapel-st., Preston, and Walter Davies, 5, Winckley-st., Preston, joint liquidators.

London Gazette.—FRIDAY, DEC. 17.

BEST, DORIS AMELIA, AND OTHERS AGAINST MARY ELIZABETH THOMAS.—John Best, Broad-lane, Hoggan, Cornwall, Farmer, on or before Jan. 21, to send by post, prepaid, to Mr. Ernest H. Stephens, 5, Lloyd's-av., E.C.3. Mr. Justice Russell. Royal Courts.

London Gazette.—TUESDAY, DEC. 21.

JOHN HERRING & CO. LTD.—Creditors are required, on or before Jan. 14, to send in their names and addresses, with particulars of their debts and claims, to James Arnott Sisson, 13, Grey-st., Newcastle-upon-Tyne, liquidator.

ANGOLA ESTATES LTD.—Creditors are required, on or before Jan. 31, to send their names and addresses, and the particulars of their debts or claims, to William Samuel Green 136, Above-bar, Southampton, liquidator.

THE IPSEWICH LYCEUM LTD.—Creditors are required, on or before Jan. 14, to send their names and addresses, and the particulars of their debts or claims, to Harry Foyster, Corn Exchange Chambers, Princes-st., Ipswich, liquidator.

BRITON FERRY CANNISTER CO. LTD.—Creditors are required, on or before Jan. 31, to send their names and addresses, and the particulars of their debts or claims, to Percival Edward Robathan, 8, Park-pl., Cardiff, liquidator.

THE HEYWOOD AND DISTRICT DAIRY FARMERS' ASSOCIATION LTD.—Creditors are required, on or before Jan. 26, to send in their names and addresses, with particulars of their debts or claims, to Joseph Howarth, Lane End Farm, Hopwood, Heywood, liquidator.

F. W. LUCAS LTD.—Creditors are required, on or before Jan. 31, to send their names and addresses, and the particulars of their debts or claims, to W. C. Glassborough, 92, Tooty-st., S.E.1, liquidator.

BIRMINGHAM METAL & MUNITIONS CO. LTD.—Creditors are required, on or before Jan. 21, to send their names and addresses, and the particulars of their debts or claims, to George Norton and William Morris, Lion Works, Witton, Birmingham, liquidators.

SANDERSONS LTD.—Creditors are required, on or before Jan. 21, to send in their names and addresses and full particulars of their debts or claims, to Frederick Westcott, 15, Finschep, E.C.3, liquidator.

Resolutions for Winding-up Voluntarily.

London Gazette.—FRIDAY, DEC. 17.

Faulkner's (Midland) Pictures Ltd.
Faulkner's (Irish) Pictures Ltd.
J. Jeffery & Son Ltd.
Phoenix Manufacturing Co. Ltd.
Johnson, Englehart & Co. Ltd.
Meadows Liberal Club Ltd.
Super-Vice Engineering Co. Ltd.
Moses Eadon & Sons Ltd.
The Electrical Engineering Society Ltd.
Van Den Hurk (Antwerp) Ltd.
The National Paper & Pulp Co. Ltd.
Augustus Young & Co. Ltd.
Hedworth Harlam Co. Ltd.
The Quebec Street Warehouse Co. Ltd.
The United Kingdom Oil & Oilseed Brokers Association Ltd.
Anglo-Russian Export & Import Corporation Ltd.

London Gazette.—TUESDAY, DEC. 21.

West Bay, Bridport, Land & Building Co. Ltd.
The Kendal Green Colliery Co. Ltd.
Oakland Motor Car Co. Ltd.
The Briton Ferry Cannister Co. Ltd.
Colby Brothers Ltd.
Henry Hamilton & Co. Ltd.
Sanderasons Ltd.
E. Youdon Ltd.
Kuru Syndicate Ltd.
The Powell Wood-Process Syndicate Ltd.
"Osgood" Ltd.
H. J. D. Syndicate Ltd.
North of England Motor Transport Co. Ltd.
Woodside & Wallasey Laing's Social Club Ltd.
Industrial Finance Ltd.

Pensford & Bromley Collieries Ltd.
Alfred Exporters Ltd.
E. Ward (Harrington) Ltd.
The Cyrene Shipping Co. Ltd.
The Wolsey Engineering Co. Ltd.
Schofield & Crozier Ltd.
The Coppull Electric Palace Co. Ltd.
F. W. Lucas Ltd.
The Long Stratton and District Stock Sale Co. Ltd.
The White Packing Co. Ltd.
Angola Estates Ltd.
Summers Cashin & Poinston Ltd.
Sterling Investment Co. Ltd.
United Braasfounders and Engineers Ltd.
Universal Accessories Co. Ltd.

Creditors' Notices.

Under 22 & 23 Vict. cap. 35.

LAST DAY OF CLAIM.

London Gazette.—FRIDAY, DEC. 17.

ARMISHAW, JOSEPH, Handsworth, Works Manager. Jan. 31. Wm. Bache and Sons, West, Bromwich.

ARMSTRONG, MRS. ANNA GLADYS, Chiswick. Jan. 11. J. P. Simpson, Houghton-st., Aldwych W.C.2.

AUGENER, MRS. JESSIE PAULINE, Palmer's Green, N.13. Jan. 24. Ernest G. Scott, Blomfield-st., E.C.2.

BARNES, FLORENCE, Mitley, Plymouth. Jan. 15. T. and H. Wolfenstein, Plymouth.

BARNES, MARTHA LUTIZA, Gosport, Hants. Jan. 31. Churcher and Churches, Gosport.

BASSETT, EOLINTON MARY, Margate. Jan. 15. Rider, Heaton, Meredith and Mills, New-square.

DAYTON, HENRY BAKER, Redland, Bristol, Hotel Proprietor. Jan. 23. Hy. Pomeroy and Son, Bristol.

BENJAMIN, ARTHUR SOLOMON, Kensington, Cigar Manufacturer. Jan. 29. Hyman, Isaacs, Lewis and Mills, Thavie-inn, E.C.1.

BONTHORNE, THOMAS WILLIAM JOHN NICHOLSON, Petone, New Zealand, Ironmonger. Jan. 20. Murray, Hutchins & Co., Birch-lane, E.C.

BOONE, JOHN, Cargo, Cumberland. Dec. 31. Wainop & Westmorland, Carlisle.

BROOKS, MARIA, Alrick, Worcester. Jan. 14. Thos. G. Hobbs, Worcester.

BULLOCK, MATTHEW, Princes-gate, S.W.7. Jan. 25. Stubbard, Gibson & Co., Leadenhall-st., E.C.3.

BUNNEY, EDWIN WALTER, Barcombe, Nurseryman. Jan. 31. Lewis & Holman, Lewes.

BURLEY, JAMES, Kippax, Farmer. Jan. 3. Claude Leatham & Co., Castleford.

BURTON, RALPH BRAMWELL, Blackpool. Jan. 22. Harold Worden, Blackpool.

CRALTON, JAMES, Wyde Green, Warwick. Jan. 10. Wallace, Robinson & Morgan, Birmingham.

CLARKE, HENRY, Hughenden, Bucks, Doctor of Medicine. Jan. 19. Withers & Co., Arundel-st., W.C.2.

CLIFFORD, JAMES THOMAS, Dartford, Plumber. Jan. 20. Thos. G. Baynes, Dartford.

CLUTTERBUCK, FREDERICK JOHN STEPHEN, Quedgeley, Glos., Farmer. Jan. 25. Treasurus, Gloucester.

COSGAL, EMILY MATTHEWS, Reading. Jan. 15. Brain & Brain, Reading.

COONEY, MARIA, Walton, Lancs. Jan. 13. Douglas Houston.

DAY, ROBERT JOHN, Alston, near Stratford-on-Avon, Farmer. Jan. 14. Stanley C. Warden, Stratford-on-Avon.

DONITHORPE, EMMA ELIZA, Kew Gardens. Feb. 1. Kays & Jones, Norfolk-st., W.C.2.

ELLIOTT, FANNY, Warwick. Feb. 1. J. C. Brookhouse, Queen-st., Cheapside.

ELLISON, THOMAS EDWARD, Totley, Derby, Barrister-at-Law. Jan. 31. Wake & Son, Sheffield.

ENGELSH, WILLIAM WATSON, Southend-on-Sea. Jan. 17. Liddle & Liddle, Southend-on-Sea.

FABER, AUGUSTUS GEORGE, Henley-on-Thames. Jan. 29. Mayo, Elder & Co., Drapery-gardens, E.C.2.

FIELDER, MATILDA HARRIETT, East Croydon, Surrey. Jan. 14. Maddison, Stirling & Humm, Old Jewry-church, E.C.2.

FRISBY, JAMES EDWARD, East Dulwich. Jan. 31. Binkley & Davis, Norfolk-st., W.C.2.

GEARY, PERCIVAL FALLE, Battersea Park. Jan. 21. Walter O. Freeman, New-sq., W.C.2.

GILLIBRAND, WILLIAM CLARKE, Lytham, Lancs. Jan. 14. Valpy, Peckham & Chaplin, Lincoln's Inn-fields, W.C.2.

GIBB, BENJAMIN DUNCAN (JUN.), Whittington, Sussex. Jan. 19. Horne & Birkett, 4, Lincoln's Inn-fields.

GILBERT, ELIZABETH, Queen's-gate, Kensington. Jan. 22. Hicklin, Washington & Pasmore, Southwark, S.E.1.

HARWOOD, HENRY JORDAN, Teddington, Licensed Victualler. Jan. 22. Loxley, Gardner & Sewell, Buckersbury, E.C.4.

HAWTREY, MARGARET ELIZABETH COERTENAY, Sackville-st., Piccadilly. Jan. 17. Richardson Sadlers & Callard, St. James's-st., S.W.1.

HOLDEN, MRS. FRANCES, Ipswich. Jan. 25. Rickards, Fox & Co., Arundel-st., W.C.

HUMPHREYS, HENRY EDWARD, Richmond, Bootmaker. Jan. 31. Smith & Burrell, Richmond.

KEENAN, JOHN, Liverpool, Engineers' Labourer. Jan. 13. Douglas Houston.

KEEN, WILLIAM, High Wycombe, Corn Dealer. Jan. 10. Rutland & Taylor, High Wycombe.

KELLET, JOHN, Southport. Feb. 1. Mawdsley & Hadfield, Southport.

LEINFOT, GEORGE, Pocklington, Yorks. Feb. 12. Heath, Sons, Sutton & Broome, Manchester.

LOCKWOOD, HENRY VINCENT, Wealdstone. Jan. 12. Ayward & Cobbett, Essex-st., W.C.

MARIE, FRANCESKA, Wiesbaden, Germany. Jan. 26. Gasquet, Metcalfe & Walton, Great Tower-st., E.C.3.

MARSHALL, JOSEPH, Castle Donington, Leicester. Jan. 18. Jno. Jas. Spencer, Notts.

MECKLENBURG-STRELITE, H.R.H. AUGUSTA CAROLINE, DOWAGER GRAND DUCHESS OF, Neustadt, Germany. Jan. 25. Farrer & Co., 66, Lincoln's Inn-fields, W.C.2.

MIDDLETON, JAMES ALEXANDER, Pimlico. Jan. 30. C. A. Piper & Smith, Vincent-sq., Westminster.

MOLLAY, JOHN, Sheffield. Jan. 31. Wake & Sons, Sheffield.

MORRIS, ALEXANDER RICHARD, Whitchurch. Jan. 22. Gals & Easton, Hull.

MOORE, KATE, Pimlico. Jan. 30. C. A. Piper & Smith, Vincent-sq., Westminster.

MORGAN, GEORGE THOMAS, Southsea. Feb. 1. Edgcombe, Hellyer & Robinson, Portsmouth.

NEVILL, PERCY, Wolverhampton. Jan. 24. Rowland, Tildesley & Harris, Willenhall.

NORMAN, MARY ANN, Tunbridge Wells. Jan. 25. Russ, Bretherton & Merton-Neale, Tunbridge Wells.

NURSE, ANNIE, Weston-super-Mare. Jan. 10. Smith, Sons & Ford, Weston-super-Mare.

PERCEVAL, CECIL HENRY SPENCER, Morpeth. Jan. 18. Arnold & Henry White, Great Marlborough-st., W.1.

PULLEY, EMMA FRANCES, Ilfracombe. Feb. 1. Rowe & Warren, Ilfracombe.

RICHARDS, JOSEPH, Newcastle-upon-Tyne, Licensed Victualler. Jan. 21. H. E. Richardson & Elder, Newcastle-upon-Tyne.

SEIDLEY, ELIZA DOROTHY, Leicester. Jan. 14. Ponsonby & Carlie, Oldham.

SIMS, WILLIAM JAMES, Portsmouth. Feb. 1. Edgcombe, Hellyer & Robinson, Portsmouth.

SWAIN, JOHN, Cheltenham. Jan. 31. Meade-King & Co., Bristol.

SYKES, JOHN PUREFOY, Holbeck, Leeds, Butcher. Jan. 31. Eolinton, Son & Malcolm, Leeds.

TALBOT, MARGARET ELLEN, Sidcup, Kent. Jan. 15. Arthur Charles Dowling, South-sq., Gray's Inn, W.C.1.

PERMIDGE, RICHARD WALKER, Halse, Northampton. Dec. 31. Stockton, Sons & Fortescue, Banbury.

TOWNSON, RICHARD, Moseley, Birmingham, Director of Townson Brothers Limited. Jan. 27. Thomas, Guest & Pearson, Birmingham.

TUNBRIDGE, ALBERT JOY, Princes-st., Bank Sub-Manager. Jan. 31. Gilbert Samuel & Co., Great Winchester-st., E.C.

WARRINGTON, CHARITY JANE, Leeds. Jan. 31. Poinston, Son & Malcolm, Leeds.

WEBB, MISS ELIZABETH ANN, Marlborough. Jan. 20. A. Richard Pain, Marlborough, Wilts.

WELLS, WILLIAM, Crickwood. Jan. 14. Maxwell & Co., Bishopsgate, E.C.2.

WHELAN, FRANCIS JOSEPH, Sheffield, Woollen Merchant. Jan. 31. Wake & Sons, Sheffield.

WHITMAN, MARTHA, Croydon. Jan. 22. Ald, Hood & Co., 4, Brabant-st., E.C.

WOODCOCK, BETSY, Ilfracombe. Feb. 1. Rowe & Warren, Ilfracombe.

WOTTON, WILLIAM, Compton, near Guildford. Feb. 1. Lee, Bolton & Lee, The Sanctuary, Westminster.

YAPP, GEORGE WILLIAM, Whitefield, Managing Director. Jan. 31. Farrar & Co., Manchester.

YEATES, RALPH TAYLOR, Upton Manor, Essex, Master Mariner. Jan. 20. Churchill, Smallman & Co., Broad-st.-pl., E.C.2.

London Gazette.—TUESDAY, DEC. 21.

BILLINGS, CATHERINE, Torquay. Jan. 10. Hooper & Wollen, Torquay.

BOWMAN, GEORGE, Old Trafford, Manchester, Doctor of Medicine. Jan. 31. Cooper, Sons, Marsh & Bailey, Manchester.

CAP, ELIZABETH, South Benfield, Essex. Jan. 14. W. Maitland Durant, Boornmouth.

CLARK, ARTHUR DESBOROUGH, Hove. Jan. 31. Cockburn, Gostling & Cockburn, Hove.

GEARY, SMITH, ALEXANDER, Hampstead. Jan. 18. C. E. Pulton, Bloomsbury-sq., W.C.1.

GREGSON, MARGARET, Melling, Lancs. Jan. 28. Brighouse, Jones & Co., Ormskirk.

HILDER, EDWARD, Upper Hamilton-tee, St. John's Wood. Jan. 31. Hilder, Thompson & Dunn, Jernyn-st., S.W.1.

HILL, JOHN WILLIAM, Northampton. Jan. 31. Woodroffe, Westminster Bridge-rd., S.E.1.

JAYNES, DAVID, Wolverhampton. Jan. 24. Rowland, Tildesley & Harris, Willenhall.

LADE, JOHN THOMAS, Brighton. Jan. 31. Lewis & Holman, Lewes.

LANGRIDGE, FLORA JANE, Epsom. Feb. 5. Ince, Colt, Ince & Roscoe, Fenchurch-st., E.C.3.

LEARNER, EDWIN THOMAS, North Walsham. Jan. 20. Rackham & Robinson, Norwich.

MOORE, EMMA, Bath. Jan. 17. Smith, Sons & Ford, Weston-super-Mare.

PAYNE, HENRY BARRETT, Bromley. Jan. 31. Hoggan, Hughes & Townsend, Arthur-st., E.C.4.

PHILIPPI, ADOLPH FRIEDRICH CHRISTOPH, Kensington, Jan. 18. Bridgman & Co., College-hill, E.C.4.
 PROSSER, LOUISE JANE, Hereford. Jan. 31. T. A. Matthews, Hereford.
 REED, MISS ELIZA ALICE AXAM, Radford, nr. Emswale, Oxon. Feb. 10. Wilkins & Toy, Chipping Norton.
 SAYSON, MRS. ELLEN CATHERINE, Southsea. Jan. 27. Hobbs & Brutton, Portsmouth.
 SHARPLES, ELEANOR, Little Lever, Lancs. Dec. 31. Hall & Smith, Bury.
 SKINNER, CHARLES DANIEL, Torquay. Jan. 20. Carter & Fisher, Torquay.
 SPOONER, JAMES, Wednesbury, Ironworker. Jan. 31. Enoch Evans & Son, Walsall.
 STOFF, WILLIAM EBEN, Guildford. Jan. 17. Triggs, Turner & Co., Guildford.
 STRAKER, LAURENCE SETON, Fountains, Northumberland. Dec. 27. Clayton & Gibson, Newcastle-upon-Tyne.
 SYDENHAM, CLAUDE STANLEY, Broadstone, nr. Wimborne, Timber Merchant. Jan. 31. Trevanion, Curtis & Ridley, Bournemouth.
 SYNNOT, WILLIAM GEORGE, Manningtree, Essex, Solicitor. Jan. 20. Ward & Ward, Manningtree.
 TANNER, LILLA WHITLOCKER, Ongar, Essex. Feb. 7. E. F. & H. Landon, Brentwood.
 TORDMAN, ELIZABETH, Erham, Kent. Jan. 31. E. E. Brook, King's Bench Walk, E.C.4.
 TWYER, ADA MAUD, Lupus-st., Westminster. Jan. 31. W. J. Pitman, Finsbury-sq., E.C.2.
 WALKER, CHARLES ALBERT LEIGH, Hornsey Rise. Jan. 31. Emmet & Co., Bloomsbury sq., W.C.1.
 WHITWORTH, JOHN, Peckham. Jan. 17. Dallimore, Pilbrow & Co., Camberwell New-rd., S.E.5.
 WIGLEY, JOHN SAMUEL, Newton Solney, nr. Burton-on-Trent, Farm Bailiff. Jan. 12. Read Samble, Burton-on-Trent.
 WYRELY-BURCH, WYRELY EDWIN GEORGE, Harpsden, Oxford. Jan. 20. Atkey & Son, Sackville-st., W.1.
 YOUNG, ANN, Dingle, Liverpool. Jan. 29. F. Lindsay & Elsworth, Liverpool.
London Gazette.—FRIDAY, Dec. 24.
 ALISON, MARY KATHARINE, Italy. Feb. 1. Gard, Lyell, Betenson & Davidson, Basinghall-st., E.C.2.
 ALMOND, NOAH, Ladbroke Wells. Feb. 1. Robert Gower, Tunbridge Wells.
 ARCHER, ALICE LUCRA, Ladbroke-tee. Jan. 31. Lewin, Gregory & Anderson, Millbank-lane, S.W.1.
 ATKINSON, JAMES RILEY, Sowerby Bridge, Woollen Manufacturer. Jan. 22. Sutcliffe, Jackson & Co., Hebden Bridge.
 BAILEY, MARY ANN, Reading, Berks. Jan. 21. Martin & Martin, Reading.
 BEVINS, JANE, Ryde, Isle of Wight. Jan. 31. John Robinson, Ryde, Isle of Wight.
 BUDD, HARRY BENJAMIN, Oxford. Jan. 31. J. M. Eldridge, Oxford.
 BUTLER, JOHN DIXON, Molesay, Surrey. Feb. 1. Radcliffe & Hood, Old Queen-st., S.W.1.
 BROCK, JAMES HENRY, Stepney, Fishmonger. Jan. 28. Taylor, Stanbury & Co., Billiter-st., E.C.
 CALVERT, WILLIAM, Maryport, Cumberland, Stonemason. Jan. 20. Alfred Cretter, Maryport, Cumberland.
 CASTLE, EDEKTON SMITH, Sloane-gdns. Jan. 30. Rawle, Johnstone & Co., Bedford-row, W.C.1.
 CHAMBERLAIN, WALTER, Cobham, Surrey. Feb. 5. Ryland, Martineau & Co., Birmingham.
 CLARE, AMELIA JANE BEETLE, Wimbledon Park. Jan. 31. T. F. Peacock, Fisher & Chavasse, Field-st., Gray's Inn, W.C.1.
 CLUNIE, JESSIE MEIX, Glastonbury. Jan. 31. Avison, Morton, Paxton & Co., Liverpool.

COX, CATHERINE JANE, Upper Norwood. Feb. 5. Tredgolds, Lincoln's Inn-fields, W.C.2.
 FERDINAND, ALLAN CAMPBELL, Rantry, Cork. Feb. 15. Gascoette, Wadham, Tiekell & Thurmond, Essex-st., W.C.2.
 FRASER, MISS JANE, Wallington. Jan. 20. Vizard, Oldham, Crowder & Cash, Lincoln's Inn-fields.
 GREENBAUM, PHILIP, Aldgate. Feb. 15. Windsor & Brown, Bishopsgate, E.C.2.
 HARDISON, MISS ANNIE KATE, Notting Hill. Jan. 24. Phillips, Son & Rollinson, 147 Cannon-st.
 HARTLEY, ALBERT, Manningham, Warehouseman. Jan. 22. Heap & Heap.
 IVES, JOHN, Bolton, Mechanic. Jan. 31. Robert Innes, Manchester.
 KEEFE, ALICE, Finsley. Feb. 21. Philip Conway, Rochester-row, S.W.1.
 KELLEY, CHARLES, Bournemouth. Jan. 30. Mooring, Aldridge & Haydon, Bournemouth.
 LARGE, WALTER JOHN, Chalk Farm, N.W. Feb. 1. Lingard, Browne & Myatt, New London-st., E.C.3.
 LONGLEY, ARTHUR, Bournemouth. Jan. 30. Rawle, Johnstone & Co., Bedford-row, W.C.1.
 MATTHEWS, MARY, Plymouth. Jan. 28. J. P. Dobell, Plymouth.
 MAULE, MARY ISABELLA, Alnwick. Jan. 31. Adam, Douglas & Son, Alnwick.
 MCKINNON, GEORGE, Southend-on-Sea. Feb. 10. A. G. Freeman & Son, Copthall-av., E.C.2.
 NANNERY, SIR HUGH JOHN ELLIS, Crickleth, Carnarvon, Baronet. Feb. 8. Carter, Vincent & Co., Bangor.
 NEWTON, WALTER SHAW, Blackpool, Wine Merchant. Jan. 31. Robert Innes, Manchester.
 PALMER, FREDERICK, Islington, N.1, Chemist. Jan. 21. Clarke, Lewthwaite & Co., Islington, N.1.
 PATEL, PALLONJEE RATTONJEE, Nampura, Surat, India. Feb. 1. Sanderson, Adkin, Lee & Eddle, Queen Victoria-st., E.C.4.
 PEWTERS, THOMAS LEASON, Herne Hill. Jan. 22. Keene, Marsland, Bryden & Deant, Seething-la., E.C.3.
 POVEY, ALBERT JOHN, Stanley, Staffs. Feb. 22. Tomkison, Norris & Norris, Burslem.
 PRICE, RICHARD, Ilkerton. Jan. 26. John Ormond & Co., Ilkerton.
 ROBERTS, FANNY, Salisbury, Wilts. Jan. 21. Houlding & Jackson.
 SAVAGE, CHARLES, Acocks Green. Feb. 11. Lane, Clutterbuck & Co., Birmingham.
 SAWYER, EDWIN, Higher Broughton. Jan. 21. J. Andrew Orrell, Manchester.
 SCHRAMM, JOHANN GOTTFRIED HERBERT, Reinbek, Germany. Feb. 5. Reider & Higgs, Mincing-la., E.C.3.
 SENDALL, FRANK SEYMOUR, Cowfold, Butcher. Jan. 22. Conis & Haddock, Carfax, Horsham.
 SOLLARS, RAYMOND, Powick, Worcester, Painter. Jan. 23. R. Hughes Abell, Worcester.
 STALLARD, JOHN HARRISON, Wokingham. Jan. 31. Walks, Stallard & Co., Old Jewry, E.C.2.
 TETLOW, ALICE, Clitheroe, Lancs. Jan. 22. J. H. Ramsbottom, Clitheroe.
 TONS, JANE, York. Feb. 1. G. Laycock Brown, York.
 TUNSON, MRS. FANNY COLLINGS, Eastbourne. Jan. 22. E. O. Langham, Eastbourne.
 WAYMORE, MARK SYDNEY, Teddington. Feb. 7. Nye, Morston & Clowes, Serjeant's-inn, Temple, E.C.
 WHITE, FLORENCE CLOTHILE, East Dulwich. Jan. 21. Colyer & Colyer, Clement's-inn, W.C.2.
 WILLIAMS, RICHARD, Aberystwyth, Currier. Dec. 31. D. Emrys Williams, Aberystwyth.
 WISSEMAN, RICHARD CHARLES, Tottenham. Jan. 22. Windsor & Brown, Tottenham, N.17.
 WOODS, EDWIN JEX, Darlington, Assistant Bank Manager. Jan. 21. E. Flux, Leadbitter & Neighbour, St. Saint Helens, E.C.3.

Bankruptcy Notices.

London Gazette.—FRIDAY, Dec. 17.

RECEIVING ORDERS.

ALEXANDER, M., Victoria-st. High Court. Pet. Oct. 5. Ord. Dec. 14.
 BRIDGES, ARTHUR, Hampstead, Clerk. High Court. Pet. Nov. 29. Ord. Dec. 14.
 BROOKS, JAMES, Leicester, Grocer. Leicester. Pet. Nov. 25. Ord. Dec. 13.
 BROOKES, ELIZA ELIZABETH, Charlton, Worcester, Licensed Victualler. Worcester. Pet. Dec. 14. Ord. Dec. 14.
 CATCHPOLE, GERTRUDE C., Victoria. High Court. Pet. Nov. 22. Ord. Dec. 14.
 CHENBOVITCH, ISRAEL, Commercial-rd., Baker. High Court. Pet. Nov. 26. Ord. Dec. 14.
 CLARE, T., Hulme, Confectioner. Manchester. Pet. Oct. 20. Ord. Dec. 14.
 CLAXTON, ALBERT FLETCHER VALE, Chester, Waterproof Garment Manufacturer. Manchester. Pet. Dec. 2. Ord. Dec. 13.
 COX, WILLIAM ALFRED, Brendon, Boarding-house Proprietor. Barnstable. Pet. Dec. 14. Ord. Dec. 14.

DALLAS, H. J., South Kensington, Furniture Dealer. High Court. Pet. Nov. 18. Ord. Dec. 14.
 DAVIS, SAMUEL JOSEPH, Bishopsgate, Woollen Merchant. High Court. Pet. Nov. 30. Ord. Dec. 14.
 DE CERJAY, Baywater. High Court. Pet. Nov. 18. Ord. Dec. 14.
 DOHERTY, CHARLES, Middlesbrough, Draper, Hardware Dealer. Middlesbrough. Pet. Dec. 13. Ord. Dec. 13.
 DUNCAN, DOROTHY V., Bloomsbury-st. High Court. Pet. Nov. 18. Ord. Dec. 14.
 ELLIOTT, ERNEST NELSON, Bristol, Furniture Dealer. Bristol. Pet. Dec. 14. Ord. Dec. 14.
 EVANS, JOHN, Cardiff, Commission Agent. Cardiff. Pet. Nov. 29. Ord. Dec. 14.
 FAHER, WILLIAM HENRY, Blackfriars-rd., Licensed Victualler. High Court. Pet. Oct. 30. Ord. Dec. 14.
 FLETCHER, MARSHALL, Rochdale, Carrier. Rochdale. Pet. Dec. 14. Ord. Dec. 14.
 FORREST, EBERZEER, Oldbury, West Bromwich. Pet. Dec. 15. Ord. Dec. 15.
 FRASER, ALEXANDER, Stockton Heath, Wholesale Stationer. Warrington. Pet. Dec. 15. Ord. Dec. 15.
 GODDER, ALBERT ARCHIBALD, Llanfyllin, Grocer. Newtown. Pet. Dec. 14. Ord. Dec. 14.

HAYMAN, ARTHUR, Urnston, near Manchester, and POOLE, JOHN, Altrincham, Engineers. Salford. Pet. Dec. 14. Ord. Dec. 14.
 HILL, JOHN CLAUDE, Mellon, near Blackburn, Nurseryman. Blackburn. Pet. Dec. 14. Ord. Dec. 14.
 HOLMES, SYDNEY, Morecambe, Greengrocer. Preston. Pet. Dec. 1. Ord. Dec. 14.
 HYNES, AMY, Palsington, Costumer. Plymouth. Pet. Dec. 15. Ord. Dec. 15.
 LEWIS, THOMAS HENRY, Moss Side, Manchester, and ASHCROFT, FRANK, Preston, Manufacturing Chemists. Manchester. Pet. Dec. 1. Ord. Dec. 14.
 LOBLINSKY, SAUL, Hightown, Manchester, General Merchant. Manchester. Pet. Dec. 13. Ord. Dec. 13.
 PRESSINSKY, TOBIAS, Commercial-rd., Wholesale Woollen Warehousemen. High Court. Pet. Nov. 30. Ord. Dec. 13.
 SNOW, EMILY CAROLINE, Kingston-on-Thames. Kingston. Pet. Nov. 11. Ord. Dec. 15.
 SUTHERST, GEORGE WIDDUP, Sudden, Rochdale, Cotton Waste Agent. Rochdale. Pet. Dec. 15. Ord. Dec. 15.
 TOWLER, JOHN H., Sheffield, Licensed Victualler. Sheffield. Pet. Dec. 1. Ord. Dec. 15.
 WHITTARD, HUBERT HOTHER, Clifton, Bristol, Moneylender. Bristol. Pet. Dec. 13. Ord. Dec. 13.

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For Further Information write: **VICTORIA EMBANKMENT** (next Temple Station), W.C.2.

FIRST MEETINGS.

ALEXANDER, M., Victoria-st. High Court. Dec. 31 at 12.30. Bankruptcy-bldgs., Carey-st., W.C.2.
 BARNES, JOHN GEORGE, Blackburn, Cotton Mill Manager. Blackburn. Dec. 30 at 10.30. Off. Rec., Winckley-st., Preston.
 BRIDGES, ARTHUR, Hampstead, Clerk. High Court. Dec. 30 at 11. Bankruptcy-bldgs., Carey-st., W.C.2.
 BROOKS, JAMES, Leicester, Grocer. Leicester. Dec. 24 at 11. Off. Rec., Berridge-st., Leicester.
 BUCKLEY, HELEN MORLEY, BUCKLEY, LUCY MORLEY, BUCKLEY, EDITH MORLEY, and BUCKLEY CHARLOTTE MORLEY, Boarding School Keepers. Worcester. Dec. 31 at 3. Copenhagen-st., Worcester.
 CATCHPOLE, GERTRUDE, C. Victoria. High Court. Dec. 31 at 12. Bankruptcy-bldgs., Carey-st., W.C.2.
 CHENECOVITCH, ISRAEL, Commercial-nd., Baker. High Court. Dec. 24 at 12. Bankruptcy-bldgs., Carey-st., W.C.2.
 DAVIS, SAMUEL JOSEPH, Bishopsgate, Woolen Merchant. High Court. Dec. 29 at 12. Bankruptcy-bldgs., Carey-st., W.C.2.
 DALLAS, H. J., South Kensington, Furniture Dealer. High Court. Dec. 29 at 12.30. Bankruptcy-bldgs., Carey-st., W.C.2.
 DE CERJAT, Baywater, High Court. Dec. 30 at 12.30. Bankruptcy-bldgs., Carey-st., W.C.2.
 DUNCAN, DOROTHY, V., Bloomsbury-st., High Court. Dec. 29 at 11. Bankruptcy-bldgs., Carey-st., W.C.2.
 EVANS, WILLIAM HENRY, Burnley, Estate Agent. Burnley. Dec. 30 at 10.45. Off. Rec., Winckley-st., Preston.
 FAHER, WILLIAM HENRY, Blackfriars-rd., Licensed Victualler. High Court. Dec. 24 at 11. Bankruptcy-bldgs., Carey-st., W.C.2.
 GOSDON, DANIEL COCKER, Shirley, Motor Engineer. Poole. Dec. 29 at 2. The Law Courts, Stafford-rd., Bournemouth.
 GRANTHAM, REGINALD, Accomb, Yorks, Chemist. York. Dec. 29 at 3. Bankruptcy-bldgs., Carey-st., W.C.2.
 HANSON, ROBERT, Middlesbrough, Huddersfield, Furniture Remover. Huddersfield. Dec. 29 at 11. County Court House, Queen-st., Huddersfield.
 JONES, THOMAS BERTHAPAR, Llanfor, Bala, Farmer. Wrexham. Dec. 29 at 2.15. The Brown Hotel, Corwen.
 PRESNICKY, TOBIAS, Commercial-nd., Wholesale Woolen Warehouseman. High Court. Dec. 24 at 11. Bankruptcy-bldgs., Carey-st., W.C.2.
 RILEY, CHARLES HENRY, Graham, nr. Northwich, Automobile Engineer. Nantwich. Dec. 24 at 11.30. The Royal Hotel, Crewe.
 SADLER, FRANK, Fleetwood, Cycle Dealer. Blackpool. Dec. 30 at 11. Off. Rec., Winckley-st., Preston.
 STAFFORD, HOWARD STANLEY, Bristol, Motor Engineer. Bristol. Dec. 29 at 11.30. Off. Rec., Baldwin-st., Bristol.
 SPEECH, ALFRED RICHARD, Parkhead, Sheffield, Motor Engineer. Sheffield. Dec. 24 at 12. Off. Rec., Figtree-ls., Sheffield.
 SWINSON, JOHN, Skegness, Steel Merchant. Coventry. Dec. 30 at 11. Off. Rec., High-st., Coventry.
 TAPLIN, IRENE, Wetherborne, Bournemouth, Draper. Poole. Dec. 30 at 3. Bankruptcy-bldgs., Carey-st., W.C.2.
 WHITTARD, HUBERT ROTHER, Clifton, Bristol, Moneylender. Bristol. Dec. 29 at 12. Off. Rec., Baldwin-st., Bristol.

ADJUDICATIONS.

BALCH, S., Fawkhani, Kent, Baker. High Court. Pet. Oct. 29. Ord. Dec. 13.
 BARNES, JOHN GEORGE, Blackburn, Cotton Mill Manager. Blackburn. Pet. Oct. 25. Ord. Dec. 14.
 BROOKS, JAMES, Leicester, Grocer. Leicester. Pet. Nov. 25. Ord. Dec. 15.
 BROOKS, ELIZA ELIZABETH, Charlton, Worcester, Licensed Victualler. Worcester. Pet. Dec. 14. Ord. Dec. 14.
 COX, WILLIAM ALFRED, Brendon, Boardinghouse Proprietor. Barnstable. Pet. Dec. 14. Ord. Dec. 14.
 DOHERTY, CHARLES, Middlesbrough, Draper. Middlesbrough. Pet. Dec. 13. Ord. Dec. 13.
 FLETCHER, MARSHALL, Rochdale, Cartier. Rochdale. Pet. Dec. 14. Ord. Dec. 14.
 FRASER, ALEXANDER, Stockton Heath, Chester, Wholesale Stationer. Warrington. Pet. Dec. 15. Ord. Dec. 15.
 GODDER, ALBERT, Llanfyllin, Grocer. Newtown. Pet. Dec. 14. Ord. Dec. 14.
 GRAY, JAMES BARBER, Walton-on-Thames, Bootmaker. Kingston. Pet. Dec. 1. Ord. Dec. 15.
 HILL, JOHN CLAUDE, Mellow, nr. Blackburn, Nurseryman. Blackburn. Pet. Dec. 14. Ord. Dec. 14.
 HYNES, AMY, Paignton, Costumer. Plymouth. Pet. Dec. 15. Ord. Dec. 15.
 KINGSLEY, JOHN, Woodford, Tailor. High Court. Pet. Oct. 9. Ord. Dec. 14.
 LOBLINSKY, SAUL, Hightown, Manchester, General Merchant. Manchester. Pet. Dec. 13. Ord. Dec. 13.
 REBONATO, PIO, Old-st., E.C. High Court. Pet. Nov. 10. Ord. Dec. 14.
 SCHENKER, CHASKEW, Commercial-st., E. Cloth Dealer. High Court. Pet. Dec. 26. Ord. Dec. 15.
 SETHBERT, GEORGE WIDGID, Rochdale, Cotton Waste Agent. Rochdale. Pet. Dec. 15. Ord. Dec. 15.
 TINDALL, WILLIAM RICHARD, Ystrad Mynach, Glam. Engineer. Merthyr Tydfil. Pet. Oct. 6. Ord. Dec. 13.
 WHITTARD, HUBERT ROTHER, Clifton, Bristol, Moneylender. Bristol. Pet. Dec. 13. Ord. Dec. 13.

Amended Notice substituted for that appearing in the *London Gazette* of Dec. 10, 1920:
 LE NEVEU, HERBERT COOKE, New Union-st., Moorfields, E.C., Boot Factor. High Court. Pet. Nov. 22. Ord. Dec. 7.

ADJUDICATION ANNULLED.

THOMAS, JOHN HENRY, Neath, Grocer. Neath. Adj. Feb. 21, 1898. Annul. Dec. 8, 1920.

London Gazette.—FRIDAY, DEC. 17.

ORDERS ANNULING AND RESCINDING ORDERS.

BREIFF, ROBERT ARTHUR, 3, Featherstone-bldgs., Holborn, Matrimonial Agent. High Court. Adjudication Sept. 28, 1920, annulled. Rescinding Order. Sept. 17, 1920, rescinded. Date of Annul. and Resc. Dec. 14, 1920.
 HADFIELD, FRED BOYLE, Stockport, Chester. High Court. Nature and Date of Order Annulled and Rescinded. Adjudication dated Feb. 15, 1919, annulled. Rescinding Order dated Jan. 8, 1919, rescinded. Date of Annul. and Resc. Dec. 8, 1920.

London Gazette.—TUESDAY, DEC. 21.

RECEIVING ORDERS.

BENDEL, LOUIS, Great Yarmouth, Auctioneer, Great Yarmouth. Pet. Nov. 18. Ord. Dec. 16.
 BRUCE, NORMAN P., West Didsbury, Nurseryman. Manchester. Pet. Nov. 11. Ord. Dec. 17.
 BUCKLAND, H., Southwark Bridge-rd., Engineer. High Court. Pet. Sept. 29. Ord. Dec. 14.
 COPE, THOMAS WYNN OSWALD, Wolverhampton, General Engineer. Wolverhampton. Pet. Dec. 17. Ord. Dec. 17.
 GRANTHAM, GERALD, Hornsea, Builder. Kingston-upon-Hull. Pet. Dec. 16. Ord. Dec. 16.
 HOUTON, HENRY, Scarborough, Carter, Haulier. Scarborough. Pet. Dec. 16. Ord. Dec. 16.
 THE IMPERIAL PHOTO FRAME MANUFACTURING CO., SNOWHILL, E.C., Photo Frame Manufacturers. High Court. Pet. Oct. 25. Ord. Dec. 15.
 KENNEDY, CHESBOROUGH JAMES HENRY MACKENZIE, South Kensington. High Court. Pet. Dec. 18. Ord. Dec. 18.
 LEE, FRANCIS WILLIAM, Ludford, Lincoln. Lincoln. Pet. Dec. 17. Ord. Dec. 17.
 LUMBY, ROLAND JOHN, Blackpool, General Merchant. Blackpool. Pet. Dec. 18. Ord. Dec. 18.
 MACNAMARA, G. E., Putney, Commercial Traveller. Wandsworth. Pet. Nov. 23. Ord. Dec. 16.
 MUFF, FRANK, Scarborough, Manufacturer's Agent. Leeds. Pet. Dec. 15. Ord. Dec. 15.
 O'BRIEN, PATRICK SPENCER, Darlington, Commercial Agent. Stockton-on-Tees. Pet. Dec. 17. Ord. Dec. 17.
 PICKINGTON, THOMAS, Accrington, Firebeater. Blackburn. Pet. Dec. 7. Ord. Dec. 17.
 THE REGENT MUSIC PUBLISHING CO., Glasshouse-st., W. High Court. Pet. Sept. 18. Ord. Dec. 16.
 SALAZAR, COUNT SARFIELD D., Ravenscroft Pk. High Court. Pet. Oct. 28. Ord. Dec. 16.
 SAMUELS, L., Mile End, Confectioner. High Court. Pet. Nov. 25. Ord. Dec. 16.
 SKEATH, E., Surbiton, Bakers. Kingston. Pet. Oct. 12. Ord. Dec. 16.
 STICKLAND, NELSON GEORGE, Pokesdown, Bournemouth, Grocer. Poole. Pet. Nov. 30. Ord. Dec. 16.
 SWANN, LINTON HALL, High Court. Pet. Nov. 5. Ord. Dec. 16.
 TAYLOR, FREDERICK HENRY, Syston, Leicester, Blind Maker's Apprentice. Leicester. Pet. Dec. 16. Ord. Dec. 16.
 TRESIDDER, ETTA EVELYN, Falmouth, Grocer. Truro. Pet. Dec. 17. Ord. Dec. 17.
 VINE, LEOPOLD DE WITT, Ramsgate, Printer. Canterbury. Pet. Dec. 17. Ord. Dec. 17.
 WATSON, RALPH BEVERLEY, Red Lion-sq. High Court. Pet. Nov. 25. Ord. Dec. 16.
 WAYCLIFF, JOHANNES CHRISTIAN, Bickley, Poultry Farmer. Croydon. Pet. Nov. 10. Ord. Dec. 7.
 WILKIN, JAMES SCHOLICK, Macclesfield, Wholesale Confectioner. Macclesfield. Pet. Dec. 17. Ord. Dec. 17.

FIRST MEETINGS.

BRADFORD, EDWIN SAM, Leeds, Company Director. Leeds. Dec. 30 at 11. Off. Rec., Royal-st., Leeds.
 BUCKLAND, H., Southwark Bridge-rd., Engineer. High Court. Dec. 31 at 12.30. Bankruptcy-bldgs., Carey-st., W.C.2.
 CHRISTIE, JOHN RIDDOCH, Southall, Wholesale Confectioner. Birmingham. Jan. 4 at 11.30. Ruskin-chimbs., 191, Corporation-st., Birmingham.
 CON, WILLIAM ALFRED, Brendon, Devonshire, Boarding House Proprietor. Barnstable. Jan. 3 at 2.30. High-st., Barnstable.
 CROMPTON, PERCY, Bolton, Wholesale Confectioner. Bolton. Dec. 31 at 3. Off. Rec., Byron-st., Manchester.
 DESSEY, SIDNEY JOHN, Bradwell, Suffolk, Flour Merchant. Great Yarmouth. Jan. 1 at 12.30. Off. Rec., Upper King-st., Norwich.
 DOHERTY, CHARLES, Middlesbrough, Draper. Middlesbrough. Dec. 30 at 2.15. Off. Rec., 80, High-st., Stockton-on-Tees.
 ELLIOTT, ERNEST NELSON, Bristol, Furniture Dealer. Bristol. Dec. 29 at 12.30. Off. Rec., Baldwin-st., Bristol.
 GODDER, ALBERT ARCHIBALD, Llanfyllin, Grocer. Newtown. Jan. 4 at 2. Off. Rec., Swan-hill, Shrewsbury.
 HASKELL, ARTHUR CHARLES WILLIAM, Chesterfield, Stationer. Chesterfield. Dec. 31 at 12. Off. Rec., Castle-pl., Nottingham.
 HULSTON, WILLIAM EDWARD, Birmingham, Fruiterer. Birmingham. Jan. 4 at 12. Ruskin-chimbs., 191, Corporation-st., Birmingham.
 THE IMPERIAL PHOTO FRAME MANUFACTURING CO., SNOWHILL, E.C., Photo Frame Manufacturers. High Court. Dec. 30 at 12.30. Bankruptcy-bldgs., Carey-st., W.C.2.
 KENNEDY, CHESBOROUGH JAMES HENRY MACKENZIE, South Kensington. High Court. Dec. 31 at 12.30. Bankruptcy-bldgs., Carey-st., W.C.2.
 MACNAMARA, G. E., Putney, Commercial Traveller. Wandsworth. Dec. 29 at 12. York-rd., Westminster-Bridge-rd., S.E.1.
 MITCHELL, ALFRED, Harrington, Draper. Whitehaven. Jan. 3 at 3.15. County Court Office, Whitehaven.
 MOLYNEUX, RICHARD, Ince-in-Makerfield, Fruiterer. Wigan. Dec. 29 at 11.30. Off. Rec., Union Marine-bldgs., 11, Dale-st., Liverpool.

THE REGENT MUSIC PUBLISHING CO., Glasshouse-st., W. High Court. Dec. 30 at 11. Bankruptcy-bldgs., Carey-st., W.C.2.
 SALAZAR, COUNT SARFIELD D., Ravenscroft Park. High Court. Dec. 31 at 11. Bankruptcy-bldgs., Carey-st., W.C.2.
 SAMUELS, L., Mile End, Confectioner. High Court. Dec. 30 at 12. Bankruptcy-bldgs., Carey-st., W.C.2.
 SNOW, EMILY CAROLINE, Kingston. Kingston. Dec. 29 at 11.30. York-rd., Westminster Bridge-rd., S.E.1.
 SWANN, LINTON HALL, High Court. Dec. 31 at 12. Bankruptcy-bldgs., Carey-st., W.C.2.
 TAYLOR, FREDERICK HENRY, Syston, Leicester, Blind Maker's Apprentice. Leicester. Dec. 30 at 3. Off. Rec., Berridge-st., Leicester.
 WATSON, RALPH BEVERLEY, Red Lion-sq. High Court. Dec. 31 at 11.30. Bankruptcy-bldgs., Carey-st., W.C.2.
 WAYCLIFF, JOHANNES CHRISTIAN, Bickley, Kent, Poultry Farmer. Croydon. Dec. 29 at 12.30. York-rd., Westminster Bridge-rd., S.E.1.

ADJUDICATIONS.

BROWNE, EDWARD DIXON, Moss Side, Manchester, Manager. Salford. Pet. Oct. 8. Ord. Dec. 16.
 CHENECOVITCH, ISRAEL, Commercial-nd., Baker. High Court. Pet. Nov. 26. Ord. Dec. 16.
 COPE, THOMAS WYNN OSWALD, Wolverhampton, General Engineer. Wolverhampton. Pet. Dec. 17. Ord. Dec. 17.
 DAVIS, ALBERT BERT, Higher Broughton, General Dealer. Salford. Pet. Oct. 15. Ord. Dec. 17.
 DESSEY, SIDNEY JOHN, Bradwell, Suffolk, Flour Merchant. Great Yarmouth. Pet. Dec. 11. Ord. Dec. 14.
 ELLIOTT, ERNEST NELSON, Bristol, Furniture Dealer. Bristol. Pet. Dec. 14. Ord. Dec. 18.
 FORREST, EBERNEZER, Langley, Outfitter. West Bromwich. Pet. Dec. 15. Ord. Dec. 18.
 GRANTHAM, GERALD, Hornsea, Builder. Kingston-upon-Hull. Pet. Dec. 16. Ord. Dec. 16.
 HOUTON, HENRY, Scarborough, Carter. Scarborough. Pet. Dec. 16. Ord. Dec. 16.
 JONES, DAVID EDWARD, Hand-ct., W.C., Stationer, Prince High Court. Pet. Nov. 26. Ord. Dec. 18.
 LEE, FRANCIS WILLIAM, Ludford, Lincoln. Lincoln. Pet. Dec. 17. Ord. Dec. 17.
 LEWIS, THOMAS HENRY, Moss Side, Manchester, and ASHCROFT, FRANK, Preston, Manufacturing Chemist. Manchester. Pet. Dec. 1. Ord. Dec. 16.
 LUMBY, ROLAND JOHN, Blackpool, General Merchant. Blackpool. Pet. Dec. 18. Ord. Dec. 18.
 MACNAMARA, G. E., Putney, Commercial Traveller. Wandsworth. Pet. Nov. 23. Ord. Dec. 18.
 MUFF, FRANK, Scarborough, Manufacturer's Agent. Leeds. Pet. Dec. 15. Ord. Dec. 15.
 O'BRIEN, PATRICK SPENCER, Darlington, Commercial Agent. Stockton-on-Tees. Pet. Dec. 17. Ord. Dec. 17.
 RILEY, CHARLES HENRY, Graham, nr. Northwich, Automobile Engineer. Nantwich. Pet. Nov. 28. Ord. Dec. 16.
 STICKLAND, NELSON GEORGE, Pokesdown, Bournemouth, Grocer. Poole. Pet. Nov. 30. Ord. Dec. 16.
 TAYLOR, FREDERICK HENRY, Syston, Leicester, Blind Maker's Apprentice. Leicester. Pet. Dec. 16. Ord. Dec. 16.
 TRESIDDER, ETTA EVELYN, Falmouth, Truro. Pet. Dec. 17. Ord. Dec. 17.
 WHEELHOUSE, WILLIAM, Lower-marsh, Westminster Bridge-rd., S.E., Toy Maker. High Court. Pet. Nov. 8. Ord. Dec. 16.

The Amended Notice substituted for that published in the *London Gazette* of Aug. 6, 1920.

PICKERING, JAMES ARTHUR NEWTON, Baker-st. High Court. Pet. Mar. 11. Ord. July 30.

The Amended Notice substituted for that published in the *London Gazette* of Oct. 15, 1920.

GREGORY, WILLIAM ROBERT FETTERSTONHAUGH, Margueret-st. High Court. Pet. April 21. Ord. Oct. 13.

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